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NOTICE TO READERS: An * indicates material not disseminated in electronic form.

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Serbian-Croatian Relations Thawing

93BA1110D Ljubljana DELO in Slovene 26 May 93
p 10

[Article by Branko Jokic: "Enmity Slowly Disappearing"]

[Text] *Political relations between Belgrade and Zagreb have improved recently; trading Bosnia-Herzegovina's territory; the key to resolving the Balkan crisis is still well hidden.*

From our correspondent.

Podgorica, 25 May—Belgrade newspapers these days are writing more and more often about the establishment of (new) political and other relations between Belgrade and Zagreb, and the same thing also applies to the Zagreb press. The occasion is the recent "mysterious" visit by Josip Boljkovac, a close associate of Dr. Franjo Tudjman and a former Croatian interior minister, to the so-called Federal Republic of Yugoslavia [FRY].

It is still not clear why the Belgrade media wrote about this "secret" visit on the very same day that Boljkovac crossed the Hungarian-Yugoslav border near Backi Breg, although one cannot conclude anything from this either about the content or the partners and goals of this meeting.

According to one version, it was not a political meeting at all, and instead Boljkovac, in the company of high officials from the former Croatian Republic Secretariat for Internal Affairs, including several Serbs and businessmen (merchants), escorted by an official Serbian police Mercedes, arrived in Vojvodina in order to sell Serbia some of the commodity reserves which Croatia received as international aid, and which are "surplus on the Croatian market."

Just as no one can support this thesis with concrete facts, likewise speculative are the claims that the visit came after an alleged secret meeting between Tudjman and Milosevic in Szeged, on which the French Radio International also reported recently. At that time, the undoubted participants in the Balkan crisis and the war in Bosnia-Herzegovina allegedly "summed up" what had been achieved from their agreement in Karadjordjevo on 15 April 1991, and they agreed on what they would do now and what errors had to be corrected and how. As we know, during the last two years numerous world media have already reported countless times that in Karadjordjevo Milosevic and Tudjman agreed on a partition of Bosnia-Herzegovina along the Neretva-Konjic line, but they did not precisely specify the northern border.

Did Minister Boljkovac offer some new possibility for this "disputed" part, since obviously everything has already been done on the Neretva, or did he demand a "shift in the border toward the Drina," in return for which Croatia would "give up" some territory in Herzegovina, including an outlet to the sea (near Konavlje)? One can also hear different answers to these questions.

From almost all the reports on Josip Boljkovac's visit to Vojvodina (to some area near Sombor), it is apparent that he did not meet with possible negotiators that would have been sent by Slobodan Milosevic, but rather with Dobrica Cosic's adviser Vladimir Matovic (a former BORBA reporter), and several other members of Cosic's cabinet.

It actually is not essential who represents Serbia (and Yugoslavia) in contacts with the representatives of Dr. Tudjman and Croatia—Milosevic, or Cosic, who is also considered in Belgrade to be an executor of the Serbian president's orders. It is undoubtedly true, however, that something new is happening in relations between Belgrade and Zagreb, although behind the scenes.

It is known that a month ago Dr. Tudjman appointed a committee for normalizing Serbian-Croatian relations. At first it seemed that the "normalization" had to do with the Serbs in the Serbian Krajina, but soon one of the members of that committee, the Serb Dr. Milorad Pupovac, who was previously considered an enemy of the state in Croatia, began to travel frequently to Belgrade. As it was learned, on several occasions, in the role of a special negotiator in Belgrade, he "betrayed" the Krajina Serbs, and asked Milosevic to help persuade them to agree to a status of autonomy within Croatia. It is not known what kind of "gifts" he promised Belgrade, or what has already been agreed on this so far, but many people associate the fact that Milosevic has distanced himself from the Serbs in Bosnia-Herzegovina (of course, if it turns out that he meant it seriously) with his uniform position on settling the question of the Serbs in both of the former Yugoslav republics.

It is also indisputable that for a long time now, Milosevic and Tudjman have not made public accusations against each other, and recently similar accusations have not been heard at various political meetings of the SPS [Socialist Party of Serbia] and the HDZ [Croatian Democratic Community] in Belgrade and Zagreb. On the contrary, in Zagreb Josip Boljkovac and also Josip Manolic, who heads the above-mentioned committee, have already called upon Croats several times to "trust the Serbs" in Belgrade, and for a long time now even Seselj has not been venting his anger at Tudjman. His Radicals have obviously already forgotten about the "promise" that the Croatian borders would be "shifted to the west," and are following the successes of the HVO [Croatian Defense Council] in the battles with the army of Izetbegovic's Bosnia-Herzegovina with obvious sympathy.

While Dr. Tudjman is still demanding "every inch of sacred Croatian land," and Belgrade "all the Serbian territories," it is clear that neither will be able to achieve its goal just by removing the Muslims. Will they push the "remnant" of the Muslims into "isolated islands," which will be "guarded" on both sides by Croats and Serbs, or will they offer them an opportunity to be autonomous units within the framework of the Croats' and Serbs' states, in accordance with Karadzic's proposal? That

depends on strategy, but the fact is that in both cases the Muslims will lose. The only other question is how long the road will be until the fulfillment of the final goal—the partition of Bosnia-Herzegovina—according to the prescription from Karadjordjevo.

Both sides are trying to promote that opinion, which is also prevalent in the world media these days, with a propaganda "feeler." They are doing it under the guise of "recognition of the need to normalize relations," as Dr. Milorad Pupovac claims, and thus one can already detect the "first signs of readiness for normalization." That readiness is to be promoted first of all in Knin. Belgrade has demanded that the Serbs there allow normal railroad and road transportation, and Croatia would thus be open not only toward the east, but also toward Belgrade, and vice versa. One can perceive signs that the transportation links really will be restored again soon, unless the Serbs in Knin are afraid that Croatia might "bring them into its state through the side door," as stated by Mile Paspalj, the president of their assembly. The belief that "it will be necessary to live with Croatia" is also being promoted more and more in Knin, even within the framework of autonomy and parishes that would be headed by Serbs.

It is possible that the claims about a "cordial greeting" between Tudjman and Milosevic when they met recently in Athens were born in the heads of political cynics, but at the same time it is true that in the negotiations in Geneva on the former SFRY's property Croatia is not at

all demanding toward Serbia. Dr. Bozo Marendic only notes tersely that the Serbian side is avoiding these talks and that it wants to gain time, because in the meantime it is trying to acquire a more favorable status and convince the international public of it. Future Croatian Ambassador to Belgrade Zvonimir Markovic (in his own opinion, he should travel to Belgrade soon) said in a statement for SLOBODNI TJEDNIK that one should not aggravate relations, and he said that his talks in Belgrade to date had been "normal." He is of the opinion that Milosevic has sincerely distanced himself from the war in Bosnia-Herzegovina, and at the same time he shows sympathy for his difficulties with the opposition in Serbia and condemns Draskovic's threats that he will arrest Milosevic.

"With God's help," as the future Croatian diplomat in Belgrade says, both sides are waiting for the moment when the "enmity will be peacefully eliminated." For the sake of the future, therefore, they are to leave the thousands of casualties from the two years of war "to their historical fate" (and possibly also to oblivion).

On the way to the "good relations" planned by both sides, they may just stumble in time, not because of the division of assets and the (dis)agreement in Geneva, and also not because of the issue of whether Croatia will gain "its" part of the museum space in the Flower House on Dedinje, and leave the "real estate" to Serbia, as Dr. Bozo Marendic says. In fact, the key to this and numerous other problems is still in Bosnia-Herzegovina. It is well hidden, and those seeking it have not yet come across a trace of it....

Karadzic Comments on Future of Bosnia

AU1106135693 Podgorica POBJEDA in Serbo-Croatian
8 Jun 93 p 5

[“Exclusive” interview with Radovan Karadzic, leader of the Bosnian Serbs, by POBJEDA's editor in chief Nikola Ivanisevic; place and date not given: “The Serbian Republic Is a Reality”]

[Text] The conditions for ending the war will not exist until the international community exerts pressure on the Croatian and Muslim sides with threats and sanctions, that is, until it withdraws their recognition. This was stated by Radovan Karadzic, president of the Serbian Republic [of Bosnia-Herzegovina] during his conversation with editor in chief Nikola Ivanisevic.

[Ivanisevic] What do the Serbs from the Serbian Republic think should be done for peace to be established?

[Karadzic] They think that peace could be established only if the international community wanted it to be established. There are many proofs that the international community did not want peace in Bosnia-Herzegovina and that some elements in that community do not want it today either. There are two main reasons why the war is still going on: The first is that only one side, the Serbian side, is under immense pressure, which means that the Muslims and the Croats are not motivated to stop the war. Thus, the more fighting there is the more will Serbs suffer, and so will Yugoslavia as their mother country. The other reason is that the Muslim leadership is still hoping for some significant military help from abroad that would enable it to create a Muslim state of Bosnia-Herzegovina under its total domination.

We Are Not the Cause of the Suffering of the FRY

The Serbian side proposes the immediate deployment of a large number of military observers along the front lines, perhaps up to the level of a company. In this way, the observers on both sides of the front line would have “hot” telephone lines and could check who is violating the cease-fire, inform the public about it, and try to maintain the truce. However, the forces that want to further destroy Yugoslavia do not care for peace. It is wrong to think that the war in Bosnia-Herzegovina is the cause of the suffering of the FRY. The breaking-up of Yugoslavia, particularly Serbia, is an old plan that some people thought would be completed last year, because they did not expect any significant resistance by the Serbs in the former Bosnia-Herzegovina. We have spoiled these plans because we have contained the events within the borders of Bosnia-Herzegovina for 14 months, and so the actions prepared for Sandzak, Kosovo, and Vojvodina could not be put into motion.

We sincerely regret the fact that Yugoslavia is suffering and are grateful to all citizens of Serbia and Montenegro for the enormous material and moral help they have provided so far, but want to assure them that the events

in Bosnia-Herzegovina are not the cause of their suffering. The cause of the suffering is the fact that we are Serbs and Orthodox believers, that we live in the middle of the Balkans, that the Catholic countries want to change this and reduce Serbia to its pre-Berlin borders, that they want to separate Montenegro from Serbia, and then, with the help of Islam and the spreading of Catholicism, completely alienate it from Serbianhood and Slavism and then win it over for the Catholic world.

[Ivanisevic] In what capacity did you speak to Owen and Stoltenberg?

[Karadzic] Lord Owen and Mr. Stoltenberg were immediately informed that, as of now, they can only negotiate with the representatives of the Serbian Republic and that this cannot be changed with anything. The referendum has set the basic limits and we cannot go against the will of the people. We feel that they have accepted the referendum results and that they talk to us as the representatives of the Serbian Republic, trying, of course, to persuade us to continue talks, which is not necessary at all. Regarding the peace talks, we are ready to talk. In a reply to their question on what we wanted to discuss, if we wanted our own state, we said: Let us talk about three things. First about establishing peace, second, about a just delineation of the three states, and third, about relations among these states in the future. I think that is something all international conferences on Bosnia-Herzegovina want. They must proceed from the fact that the Serbian Republic exists as a state of the Serbs in the former Bosnia-Herzegovina.

I would like to inform the readers of POBJEDA that we Serbs, west of the Drina River, or the so-called western Serbs, have as much right to our own state as do the Croats and the Slovenes, according to the Saint German Agreement. According to that agreement, the Serbs, Croats, and Slovenes from the former Austro-Hungarian Monarchy, associated themselves under equal rights, I repeat, equal rights, with Serbia and Montenegro. So, if the Slovenes, Croats, and the western Serbs had associated themselves with Serbia and Montenegro under equal rights, they have equal rights. If the Slovenes and Croats created their national states on the basis of that right, then the western Serbs have the same right and we are realizing this right.

God Help Those With Only One Way Out

[Ivanisevic] Some people say that the Vance-Owen plan has no alternative, while others claim that the plan was buried with the Washington document signed by the five foreign ministers. What is correct, and what are the Serbian alternatives?

[Karadzic] The Vance-Owen plan is clinically dead, and I think it was buried, too. Not even the negotiators insisted on the Vance-Owen plan; they insisted on the peace process, that is, on any element from the plan that could be applied. It is obvious that the Washington document has completely replaced the Vance-Owen plan. It is now being said abroad that the Washington

document has no alternative. The same used to be said for the Vance-Owen plan. Everything has an alternative. God help those who are condemned to only one solution, to only one way out from a situation. We Serbs have several ways out. One of them is the creation of our own state and staying in the Bosnian confederation. The other is the creation of a state of western Serbs with the Republic of Serbian Krajina. The third is the creation of a Serbian federation. The fourth is the complete independence of the Serbian Republic.

Protection Zones Are Saving Muslims From Total Defeat

[Ivanisevic] What do you think about the protection zones?

[Karadzic] The protection zones are good for the Muslims because they are saving them from a total defeat. The Muslim leadership is talking about peace, but is calling its people to war, to a total war until a complete defeat of the Serbian side with, as they say, all available means. If they are indeed preparing and announcing this war, and they are doing this publicly, we have the right to defeat them everywhere in Bosnia-Herzegovina. So far we have been restraining ourselves and did not want to defeat them in the areas in which they constitute a majority and which we agree should be in the Muslim state. If they continue with their belligerent statements, we will have to defeat them. The protection zones are protecting them from a defeat in Srebrenica, Zepa, and Gorazde, as well as Sarajevo, Tuzla, and Bihac. In this sense the protection zones are very favorable for the Muslims, although their leadership does not understand this.

[Ivanisevic] Why did the Serbs launch an offensive toward Gorazde?

[Karadzic] The Muslims have carried out major offensives on all points in Bosnia-Herzegovina where they could attack us. These are: Brcko, Doboj, Teslic, Maglaj, Zavidovici, the Vozica region, Sarajevo, and Gorazde, where they attempted to link the Gorazde enclave with Zepa and Srebrenica. They had some success in all these regions, except Sarajevo, where they foolishly lost over 100 fighters and had over 200 wounded, and Gorazde, where they launched an offensive but could not carry it through. In their counteroffensive, the Serbian forces pushed them back far toward Gorazde. We are not launching offensives, we are not starting fights, but every time they come out of their trenches and attack our lines we will punish them with a counteroffensive, because this is our legitimate right.

[Ivanisevic] After the talks with Owen and Stoltenberg in Pale, could you draw an indirect conclusion that they recognize the Serbian Republic and Pale as its capital city.

[Karadzic] Lord Owen and Stoltenberg had to come for talks to Pale. This was not defiance by Serbs. This is a simple diplomatic etiquette. The Serbian Republic

exists. Its capital city is Sarajevo, that is, the Serbian Sarajevo. The Serbian Sarajevo includes Pale, because Pale is a Sarajevo commune. Meetings are no longer being held at airports or barracks. If they want to talk to the representatives of the Serbian Republic, with state organs, then they must come to the capital city of the Serbian Republic.

It Is Not Good That Serbs Are Dividing Themselves

[Ivanisevic] To what extent will the replacement of Academician Dobrica Cosic as president of the FRY affect the political situation in the Serbian Republic?

[Karadzic] I do not think that the departure of Academician Dobrica Cosic will significantly affect the political situation in the Serbian Republic, because we do not meddle in Yugoslavia's internal affairs. President Cosic is a great Serbian writer and had done a lot for the Serbian people, as has, after all, President Milosevic. This should always be borne in mind concerning both of them. Regardless of what is happening on political scene at present, the Serbian people greatly respect both President Cosic and President Milosevic.

[Ivanisevic] Some eight years ago, I saw a map on which western analysts drew states on the territory of the former Yugoslavia. The map included a West Serbia made up of the Bosnian Krajina and the current territories of the Republic of Serbian Krajina. Is it realistic to establish a state on the basis of the self-determination by Serbs from those regions?

[Karadzic] I have already answered this question when I mentioned the Saint German Agreement. The western Serbs have the right to a state, and, with God's help, they will create it. We are only in two minds as to whether to call it West Serbia or the Serbian Republic, because we would not want to create new nations within the Serbian nation. Every new nation that separates itself from the Serbian nation, from the mainstream of the Serbian vital currents, would marginalize itself and would be liable to destruction. One should only look at how the Macedonians, who refused to be Serbs, fare, or the Muslims who have separated themselves from the Serbs, and so forth. The Serbian people are the same as the Serbian nation. It is not good that the Serbs divide themselves along any lines. Therefore, we are only temporarily using the term West Serbs to break the media's ideas that we have come from Serbia to conquer Bosnia. The Serbian people are united and one should not be inventing anything that would lead to their further internal divisions.

General Kovacevic Views Serb Goals

AU1606134193 Sarajevo JAVNOST in Serbo-Croatian 5 Jun 93 p 9

[Interview with Major General Dusan Kovacevic, defense minister of the Serbian republic, by Kolja Besarovic, place and date not given: "Warning Is Not a Threat"]

[Text] Although the public is not quite familiar with his name, because the celebrities are usually active commanders performing their duties on the front, Major General Dusan Kovacevic, defense minister in the government of the Serbian republic, performs delicate and very responsible tasks regarding the coordination of military and political activities in the state leadership. Before he was nominated for this function in the period when this government was formed, Kovacevic had served almost two decades in garrisons throughout Bosnia-Herzegovina, while most of the time he had spent in Sarajevo and Tuzla. When the war broke out, he was performing the function of deputy commander of the Second Army District. After he had endured the siege of the headquarters, and survived the massacre in Dobrovoljacka Street, he managed to reach the free Serbian territory.

[Besarovic] General, the assembly of the Serbian republic, and later the people in the referendum, rejected the Vance-Owen plan even though the West had threatened them. In view of those events, how do you assess the current military-political position of the Serbian republic?

[Kovacevic] The Serbian republic's position is much more favorable now than in the period when the plan, being totally unacceptable to our people, was proposed. I think the international community understood that certain corrections regarding the plan must be made. It turned out eventually that nothing could be forcefully imposed on people if they do not want that. Therefore I believe that the international community will propose some more favorable solutions of the crisis in Bosnia-Herzegovina, taking into consideration the Serbian people and its decisions. Although our position is more favorable, it is possible for some complications to ensue if Muslims follow the advice of Alija Izetbegovic, and continue the war. We shall resolutely resist any possible attack on all fronts. Our people is completely ready for such a possibility, while Izetbegovic's appeal to his people to defend the so-called integral Bosnia-Herzegovina is the best proof that Muslims have never given up the war option, even though they signed the Vance-Owen plan. Right after the plan had been signed, fierce clashes between Muslims and Croats started, while the Serbian side showed by terminating all the operations that it really wants peace, although it had not signed the plan.

[Besarovic] The recent statement by General Ratko Mladic threatening that in the event of a foreign intervention the Serbs will severely retaliate by all available means caused many different reactions. Some speculations about a conflict between the military and the political leaderships of the Serbian Republic immediately arose among the Serbs unfavorably disposed toward the media and political circles.

[Kovacevic] The decision on the deployment of our armed forces is made exclusively by the president of the republic. I would not comment the statement made by

General Mladic, because I think there is no need for us to threaten anybody, and we really do not. I personally believe that Mladic's statement is more a warning, rather than a threat.

[Besarovic] Since the major assignment of defense minister has to do with the coordination of work performed by military and political state institutions, we would like to know how satisfied are you with the results achieved so far in the coordination of those activities?

[Kovacevic] The role of the Defense Ministry is to interpose between the Government and the General Staff of the Army of the Serbian Republic whenever the questions of an equal political and military importance are dealt with. As I have already said, it is the General Staff, or rather the chief of General Staff, that has an unshared right to command the army, while the role of the Defense Ministry is to maintain the army with all its essentials, and to take part in organizing it, as well as in resolving political issues, which is the jurisdiction of the government.

[Besarovic] It is well known that the Army of the Serbian Republic was founded under very unfavorable conditions. In the march of events it was transformed from the former Yugoslav People's Army to the defending force of the Serbian people and its territories. How satisfied are you with the process of the army's development so far, and what else do you think should be done in that sense?

[Kovacevic] The Serbian Democratic Party, as a movement, organized the defense of the Serbian people against the threatening genocide that, unfortunately, had been planned to happen throughout Bosnia-Herzegovina. It happened exactly in those places where our people was not well enough organized for defense. In the first phase of the war our people mostly successfully protected their homes and lives, defending themselves as a well-armed people. When that phase assumed a new form later on, then the General Staff organized the army in units and formations, thereby creating the real army of the Serbian republic. The existing structure has to be changed now, to correspond to higher standards. That is to say, in order to have better organized and equipped units, to have discipline and order, to submit the army to a single command, because it is necessary to eliminate all the paramilitary units and para-authorities, and to organize a modern army capable of defending our territories and borders and completely protecting the people in the Serbian republic. Besides, that army must have modern equipment....

[Besarovic] In that respect, the lack of capacities in the military industry in the Serbian republic has been mentioned as one of the major problems. It is no coincidence that almost all the factories of military equipment in the former Bosnia-Herzegovina were situated in the regions that are now controlled by Muslim or Croatian forces.

[Kovacevic] We still have a certain number of special purpose production factories on our territory. Given the conditions as they are, those factories are working at

maximum capacity, although we are facing very serious problems, or rather limitations. Above all I refer to the lack of electricity and raw materials, as well as to the fact that a considerable number of people needed for work in those factories are in the army, or rather at the front. However, despite those difficulties I am personally very satisfied with both the organization and the production of goods we need. After the current government had been formed, we carried out a certain reorganization of the army, which aimed at demobilizing a number of experts, in order to have them in factories again. Those measures have given positive results, because we acquired raw materials and electricity, and increased productivity from 8 percent, as it used to be before, to even 30 percent, with respect to the utilization of capacity.

[Besarovic] In these conditions of war, the military industry is still functioning, despite all the problems and limitations....

[Kovacevic] All the capacities that we own are functioning to the greatest possible degree in this moment—that is, to the maximum.

[Besarovic] Still, the fear that we might remain without necessary weapons, and other military equipment in the conditions of the international blockade, is still present. Do we have an answer to such an eventuality, hopefully a hypothetical one?

[Kovacevic] Our main stand is that we, as a people and as a state, ought to follow the path of peacefully accomplishing our goals, that is to say, not to wage war. However, if we happen to be forced into a war, I can tell you we have plenty of ways and means necessary to wage it. We have enough people, technique, and armament for a successful defense of our people and the state.

[Besarovic] When you speak of the effective body of the army, it is known that until recently the lack of soldiers on all the fronts presented quite a problem, since many citizens of the Serbian Republic had fled to the FRY, or abroad. Has anything changed in that respect recently?

[Kovacevic] At this moment we have relatively enough people on the fronts to accomplish necessary goals. However, it is a fact that many conscripts had fled to the FRY even before the war started, and we did everything to make them come back. A small number of them did return, while the majority is still in the FRY. The process of getting them back is still going on, and I hope that they will all eventually come where they belong.

[Besarovic] The Washington agreement of five statesmen plans to establish the so-called safe areas for the Muslim people in the towns and territories controlled by Izetbegovic's forces. Nevertheless, there are signs that those safe areas should serve as a screen, concealing the training of Muslims forces for new offensives....

[Kovacevic] Well, Muslims have tried to misuse those safe areas, which was best seen from the examples of Srebrenica, Zepa... All the agreements we reached with

Muslims, given the mediation of UNPROFOR [UN Protection Force], were completely observed and implemented by our side. Unfortunately, the Muslim side did not observe them: they have never disarmed their army, but only reinforced it to be capable of undertaking counterattacks at a convenient moment. We are familiar with such Muslim intentions, and I am sure we shall effectively resist any attempt of realization of those plans.

[Besarovic] Can we deduce that the danger of possible, and even limited air strikes by the Western (American) air forces is definitely gone, and do the recent provocations by NATO, when its airplanes broke the sound barrier over Banja Luka and Sarajevo, aim only at maintaining psychological pressure?

[Kovacevic] A military intervention by Western countries under the auspices of the United Nations against the Serbian republic has not been discarded. That threat has eased, but is not definitely discarded. We are doing everything we can, and will do it in the future as well, not to trigger any military intervention. On the other hand, the NATO flights ending up with breaking the sound barrier aim at provoking us to shoot them down, so they can have a justifiable reason for retaliation. Since we are aware of that danger, we are not going to disturb those flights. However, there is a possibility of enemy forces shooting them down, and we would be accused of doing it. I still believe that such an accusation could not be upheld, since any of those flights are supervised. The UN protection forces are also aware of the risk that the participation in such a dirty game brings about.

[Besarovic] Tell us finally, please, are you optimistic about the war ending, that is, the Bosnian crisis being settled?

[Kovacevic] I am an optimist, and believe that the Serbs will eventually obtain their state. Perhaps it will have some confederal form in the beginning, which will primarily depend on the international power structure, or rather on agreements reached on the diplomatic level. The most important thing for us to do is to successfully organize all the state functions, because when we establish an effective and successful state, then the international community will understand it must recognize it.

[Besarovic] The army has already created conditions for establishing such a state, of course with the help of other institutions.

[Kovacevic] We quite certainly have our state. We have territory, army, police, authorities that are successfully performing their duties, and what I would particularly like to emphasize is the fact that we accomplished all that in a democratic way. The world has to look at and appreciate that, particularly the fact that our people, despite the pressures, declared themselves against the Vance-Owen plan in the referendum, giving a vote of confidence in their own state.

Bosnian Serb General Details Muslim Attacks

AU1706084793 Belgrade INTERVJU in Serbo-Croatian
11 Jun 93 pp 20-22

[Interview with Major General Manojlo Milovanovic, deputy commander of the army of the Serbian republic, by Biljana Djurdjevic; place and date not given: "The Serbs Do Not Attack First"]

[Text] The general in the shadows, who knows how to fight and win a war, is 49 years old, was born in Lijeve Polje, and has been an officer for 27 years. We are talking about the war general of the army of the Serbian republic, Manojlo Milovanovic, deputy of the that army's more famous commander, Ratko Mladic. Naturally modest, fair, and strict, always alert and sensible, he is much loved by his soldiers and officers.

[Djurdjevic] General, is Srebrenica really a demilitarized zone as UNPROFOR [UN Protection Force] has been claiming recently?

[Milovanovic] First of all, the question contains an erroneous expression for the actual state of affairs. In Resolution 824, the Security Council of the United Nations proclaimed some places in the former Bosnia-Herzegovina to be protected zones. This involves Srebrenica, Zepa, Gorazde, Sarajevo, Tuzla, and Bihac. The term demilitarization implies the disarmament of all warring sides in this area. However, since in the case of the aforementioned places, these are areas where our forces are not present this actually means that within the protected zones, there is one, in this case Muslim, militarized side that should be disarmed.

[Djurdjevic] But the aforementioned resolution envisages the withdrawal of Serbian forces to a specific distance away from the protected zones. What can you tell us in this respect?

[Milovanovic] Units of the Army of the Serbian Republic are already at the designated distance from these zones. Everything that is armed in these protected zones needs to be disarmed.

[Djurdjevic] Several solutions have been mentioned for Sarajevo. What did the military commanders finally agree?

[Milovanovic] Nothing was agreed upon in the kind of form that could be signed. However, there is partial verbal consensus. The Serbian side and UNPROFOR have agreed that the delineation line should remain the current line of contact and that inside Sarajevo all armed formations of the Muslims should be disarmed (this means not only the "green berets" but also the Muslim police force, armed civil defense, and so on). The Muslim side agreed to this. However, since it is unfortunately led by a Serb, Jovo Divjak, our side is not exactly inclined to believe that this agreement will also be adhered to by the Muslim fundamentalists in the town.

Otherwise, the Muslim negotiators do not react immediately to any single proposal. They withdraw and then ask for consultations with their leadership, more precisely with Alija Izetbegovic [president of Bosnia-Herzegovina]. Considering that Izetbegovic is not conducting an independent policy either, his assessment and response depend to a great extent on some international factors and this considerably slows down the course of negotiations and talks. Alija Izetbegovic is still maneuvering in the hope that there will nevertheless be international intervention against the Serbs.

[Djurdjevic] As you know, the Vance-Owen proposal envisages Sarajevo as an open city. Are your negotiations going in this direction?

[Milovanovic] At the beginning of the war a year ago, the Serbian side actually put forward this solution for Sarajevo, in the form of an open city. For well-known reasons the Muslim side rejected this. The Serbian side is now putting forward a proposal in a concept which implies this kind of solution for the narrow, city zone of the city of Sarajevo with the full demilitarization of this area. Suburban areas are not taken into consideration here. As I said, UNPROFOR agrees with this solution and the Muslim side has given its agreement in principle. As regards the one brigade of the HVO [Croatian Defense Council] in Sarajevo, it has almost been disarmed by the Muslims so that the focus of the fighting, and therefore of the agreement too, is on the Muslim and Serbian sides.

[Djurdjevic] Does this mean in practice that the units of the Croatian Army, HOS [Croatian Defense Forces], and HVO, are beginning to no longer be respective opponents of the Army of the Serbian Republic on the territory of the former Bosnia-Herzegovina?

[Milovanovic] Part of your question requires a political answer and I, first of all, do not like to get involved in politics and secondly, I am not qualified to get involved in it. However, during the last year of fighting, I have seen enough to know that the war in the former Bosnia-Herzegovina was not begun by the indigenous Muslims. The war in Bosnia was begun by Muslim extremists, mainly from Sandzak. Sulejman Ugljanin [president of the Party of Democratic Action in Sandzak] made some quite good calculations here, committing crimes on someone else's territory and fighting for a Muslim transversal which would also encompass Sandzak.

I personally have proof of this thesis. Let us take Zepa as a specific example. As early as 20 May last year I had talks with Muslims from the wider area of Zepa, more precisely from the village of Krivaca. The fifteen of them were armed with hunting rifles and were located near to one of our units. I asked them: What are you people doing here? They said: We are protecting you from the Muslims. What are you? We are Muslims. So which Muslims are you protecting us from? They said: from Sandzak Muslims! They will force us to fight against you. When this happens we will run to you. And this is exactly

what happened. The Sandzak people entered Zepa and killed the Muslims who did not want to fight against us.

On the basis of my one year of war experience I can confirm to you that the Serbian units have never been the first to attack Muslim units. The aforementioned example of Zepa confirms this exactly. They attacked us for the first time on 4 June 1992 when we were taking food to the garrison that was in one of our installations on Zlovrh. At that time they massacred the convoy of unarmed people who were only transporting food and water. All that we did at that time was to remove our survivors, dead, and wounded from the encirclement. We did not wreak revenge. We reckoned that these Muslims had been duped or forced to commit this inhuman act.

They attacked us for the second time on 7 August 1992, again on the territory of Zepa, and captured 13 of our soldiers whom we got back in exchange for 50 tonnes of flour.

After this incident, we had to eliminate the potential danger so we pushed them further toward Zepa, but we stopped at this and we even allowed them, unarmed, to gather together their livestock. We reckoned that they would come to their senses after this. However, they attacked us again on 11 December 1992 with the intention of destroying the unit's command, which was located in this area. They went into action with 140 saboteurs trained for three months in [name illegible] or Macedonia. They had pictures of our officers and orders as to who should liquidate whom and 30 prepared stakes with labels showing who they were intended for.

The same thing happened in Srebrenica. We never intended to attack them or to push them out of the town. They were the ones who started it. This was before the Mitrovdan holiday, on 6 November 1992 I think, they slaughtered the inhabitants of the village of Kamenica on a bloody pyre. They continued with the slaughter of mainly civilians on every Serbian Orthodox holiday, Christmas, St. John's day, St. Vitus day.... In the lower part of the Drina Basin alone the Srebrenica Muslims killed and slaughtered 1,326 Serbs that we know of.

[Djordjevic] General, I could not agree with your comment that Sandzak people began the war in Bosnia-Herzegovina. It will probably be ascertained who was behind the murder at the Serbian wedding in Bascarsija [central district of Sarajevo] on 1 March 1992 but more serious war activities and the spread of the war from Croatia to Bosnia began with the transfer of units of the regular Croatian Army which, supported by the Bosnian activists of the Croatian Democratic Community, committed the April slaughter of Serbs in Kupres, as well as carried out military operations in Bosanski Brod and the slaughter of Serbs in Sijekovac on 8 May 1992.

[Milovanovic] What you cite is correct. But all this supports my earlier thesis that we did not start the war in the former Bosnia-Herzegovina. However, as regards the fighting between the Serbs and the Croats here this has

its peculiarities—this is a war between the Republic of Croatia and the Republic of Serbia, that is, between two neighboring states. As is well known, 19 brigades of the regular Croatian Army have been and are fighting on our territory. As regards the military groupings of the Bosnian Croats, we have had the same attitude toward them as we had toward the Muslims—we were definitely not the first to attack!

When you listed the events that led up to the war in the former Bosnia-Herzegovina it was worth mentioning the massacre of members of what was then the Yugoslav People's Army that was carried out by the "green berets" in Dobrovoljacka Street. Just a year after this massacre, the Muslim side revealed that at that time it already had 40,000 of its soldiers organized, armed, and prepared for a fight and showdown with the Serbs, who at that time did not have their own units.

The same plan of 3 May on Dobrovoljacka Street was also prepared in Skoj Street in Tuzla on 15 May 1992. The Muslims had also guaranteed the safety of a column of soldiers and officers who were being moved out of their barracks only to then be immediately attacked. This is not fair play. In this regard I have to tell you something—I like it when our unit fights with the Croats. We fight bravely and no one says anything about it afterwards. When we fight the Muslims, first of all Butrus-Ghali finds out and then the whole world starts to complain! There is an explanation for this. The Muslims have received several million dollars from the Islamic world for propaganda purposes. The Croats spend a considerable amount for the same purposes. The Serbian side does not spend anything.

[Djordjevic] You mentioned financial assistance for the Bosnian Muslims from some Islamic countries. Can we justifiably talk about other forms of help too and which countries have been providing this in particular?

[Milovanovic] During this war, Alija Izetbegovic has taken part in two conferences of the Islamic countries where he even received awards and medals, but not what he had wanted—intervention. Moreover, the Islamic countries clearly told him that in Bosnia-Herzegovina he does not have Muslims with Islamic roots. Therefore, in essence, it is quite unimportant for Izetbegovic whether Muslims, Serbs, and Croats will remain on the territory of the former Bosnia-Herzegovina to live together. He needs territory in order to settle members of the Islam faith who have roots. Herein lies the greatest blunder of the Muslim people in Bosnia-Herzegovina because Alija Izetbegovic does not care at all about saving the 64,000 Muslims concentrated in Srebrenica and Zepa.

[Djordjevic] Sixty four thousand.

[Milovanovic] Yes, both soldiers and civilians. It can openly be said that these people were saved by the Serbian army. What do you think would happen if I allowed the Bratunac brigade to set off toward Srebrenica? Do you think that it would be easy to stop people who had their nearest and dearest among the

1,326 of those who were killed by the Srebrenica Muslims? In that case, civilians would not be spared. We did not allow this. But Alija Izetbegovic allowed them to be loaded on to trucks without tarpaulins, 150 souls in each like animals and they crushed and killed each other. Throughout February, about a dozen people, mainly children and feeble old people died in every truck that reached Tuzla. Alija fabricated the story that these people died after being stoned by people from Bratunac, which is pure invention, and it was UNPROFOR that finally told the public that these people died from the effects of suffocation.

[Djurdjevic] General, it is no secret that some units of the Army of the Serbian Republic helped the Croatian population to save themselves from the slaughter which was being threatened by the Muslims.

[Milovanovic] Armed Muslims in the former Bosnia-Herzegovina have bloodied their souls. In June last year when the Army of the Serbian Republic had the priority of creating a land link between the Serbian people in the krajinas and the Federal Republic of Yugoslavia, the Muslims carried out HEREM. Do you know what that is? This is the destruction of every material and living thing that belongs to other nations and faiths. They mercilessly destroyed not only people but killed livestock, ransacked these people's homes, and finally set

them alight. They committed the kind of bestiality that not one single Serbian soldier is in a position to commit—they cut open the bellies of pregnant women and killed their unborn children. This is not only the product of blind hatred and religious intolerance, this is a low level of civilized behavior. I am really surprised that the Croats did not realize in time what was awaiting them from the Muslims. This is now their revenge.

We have never had military cooperation with the Croats and as regards the civilian population, we are in favor of freedom of movement.

[Djurdjevic] It seems that the Muslims have changed their tactics and have changed their offensive actions to small-scale terrorist-guerrilla activities. Will this also have an effect on your fighting concept?

[Milovanovic] We have already adapted to the new situation. You already know that almost all their sabotage groups have been promptly discovered and neutralized. On the other hand, we already have a large number of special-purpose units like the guard brigade [Gardijska brigada], the protection regiment, and every brigade and battalion has a military police force and antiterrorist and sabotage units. Finally, we have a people that is helping us to uncover the enemies' saboteur-terrorist groups.

* Draft Defense Law: Constitutional Issues Viewed

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[Interview with Dr. Maria Baraczka, nee Nagy, chief of the Legal Division of the Defense Ministry, and constitutional law expert Dr. Istvan Lovetel, a member of the Law and Political Science Institute, by Ferenc Koszeg; place and date not given: "National Defense Law: '... Like Packing My Things Before a Holiday'"]

[Text] Six-party negotiations about the national defense law have been going on for a month now. No agreement could be reached so far concerning a few pivotal issues. These include the following: Could the armed forces be deployed without proclaiming emergency conditions? Where should the Border Guards belong? Where is the dividing line between the governmental direction of the armed forces on the one hand, and the professional leadership of the armed forces, on the other? What factor ensures the prevalence of civil rights in times of war, or under extraordinary and emergency conditions? We posed these and other questions to Dr. Maria Baraczka, nee Nagy, the head of the Legal Division at the Ministry of Defense, and Dr. Istvan Lovetel, a constitutional law expert and scientific associate at the Law and Political Science Institute. The government official refrained from expressing judgments about either the text of the law, or the positions taken by the various parties; all she agreed to do was to express her views regarding disputed issues related to the proposed legislation, from the standpoint of constitutional law. Ferenc Koszeg spoke on behalf of our editorial office.

What Can We Do With the Enemy?

[Koszeg] What happens if aliens forcefully make their way into the country, or if the country's airspace is gravely violated? What does the Constitution authorize us to do?

[Baraczka] We would have to decide first of all on how to view this penetration. If it amounts to an armed attack by a foreign power, we must declare extraordinary conditions. From that point on the National Defense Council becomes the master over this matter, the organization exercising the combined authority of the National Assembly, the President of the Republic, and the government. If, on the other hand, the situation did not involve an attack by a foreign power, I would simply not know what the situation was, because it could be determined only on the basis of a specific analysis of the events that transpired. We would have to analyze what the penetration threatened, what area it covered, and who entered the country from where? If the penetration threatened public order and public security, the government would have to "take necessary action to protect public order and public security" based on Article 35 Section (1) of the Constitution.

[Lovetel] The situation would indeed be simple, if the armed forces of Country X attacked Hungary. But in most instances the situation is not that clear. For example: I take note of the fact that a penetration has occurred, but I do not know whether the armed forces entered the country based on orders received and were thus backed by the power of a foreign state, or if they acted on their own, and their act was also punishable on the other side. Paragraph 40/B Section (2) of the Constitution provides for the possible use of the armed forces under emergency conditions proclaimed consistent with the Constitution "in case of violent actions committed with arms or by armed persons which endanger the safety to life and property of citizens on a large scale," and the Constitution does not limit this to violence that evolved within Hungary.

[Koszeg] "If the deployment of the police is insufficient," the same Section of the Constitution states. Accordingly, if the Border Guards are an armed force, as they are according to the Constitution, they could be used and deployed in any way only after proclaiming emergency conditions. But as an armed force, the Border Guards' performance of police functions is also impermissible under the Constitution, and yet, the Border Guards perform such functions. Accordingly, the situation is doubly unconstitutional.

The Unconstitutional Reality

[Baraczka] The concept of utilizing the armed forces was left open to interpretation by the Constitution. Soldiers can be utilized for many purposes. For example, they may be used for snow removal purposes; an entire regiment could be deployed for such purpose if warranted by circumstances. The Constitution does not state whether this constitutes "utilization" of the armed forces. On the other hand, the performance of customary police functions by the Border Guards at the borders certainly cannot be regarded as the use of the armed forces.

[Koszeg] Restricting the rights of citizens, checking their passports amounts to a police function, therefore this activity is unconstitutional as long as the Border Guards constitute an armed force.

[Baraczka] Yes. The laws in force and the structure of the state organization are not consistent with the present Constitution. Basic rules concerning the Border Guards are contained in Decree With the Force of Law No. 17 of 1947, concerning the internal order and security of the state. This same decree codifies the duality: It is the function of the Border Guards to guard the borders and to maintain order at the borders, including the control of border traffic. Government Decree No. 40 of 1974, still in force, also provides for the implementation of the 1947 Decree. The 1974 Decree states in detail the functions of the Border Guards in the framework of guarding the borders, maintaining order at the borders, and controlling traffic at the borders. Laws presently in force do not settle this issue, but one has to recognize

reality: tourists must be allowed to enter, illegal immigrants must be apprehended, and it might become necessary to halt an armed, violent migrant group trying to enter the country. In the context of these provisions, "armed" could mean possession of a scythe, a hoe, or the leg of a chair. In other words, the legal status and the functions of the Border Guards, the possibility to utilize the Border Guards, in other words, their status under the Constitution must be settled urgently in order to permit them to act on constitutionally secure grounds.

[Lovetei] In my judgment, we must distinguish between the various types of activities. In other words, at issue is not the organizational belonging of an institution, but the type and character of the activity it pursues. I would find it absurd to remove the Border Guards as a whole from the armed forces category simply because, according to the Constitution, the concurrence of the National Assembly was required to utilize armed forces. Any organization could have some activities which, in and of themselves, would not qualify as use or utilization consistent with the basic function. The decisions must not necessarily involve governmental authority. Recalling my days in the military—I, too, served as a border guard—I can easily perceive situations in which a well-prepared operational officer must make a decision, the primary decision, as to what type of action is justified.

[Baraczka] The first sentence of Section (1), Paragraph 40/A of the Constitution states that "The fundamental duty of the armed forces (the Hungarian Honved Forces, the Border Guards) shall be to provide military protection for the homeland." If I interpret this provision to mean that this is almost the exclusive duty of the Honved Forces, i.e., that some other duty may arise only very rarely and in very well-defined cases, while the same is not the fundamental duty of the Border Guards, but it is something else instead, something that is different from the duty of the Honved Forces—primarily the exercise of police powers, civilian police functions; at the same time, providing military protection for the country is also the function of the Border Guards, but only to a smaller extent, then, after interpreting the invisible Constitution I could say: Eureka! Except that I am not certain that when it comes to drafting a law, I could, or have a reason or opportunity to interpret this sentence the way I just did, without amending the Constitution.

[Koszeg] As long as the Border Guards have two, more or less clearly distinct functions—notably: maintaining order at the borders and defending the country in the immediate vicinity of the borders—what argument is there against dividing the organization, as that is recommended by the SZDSZ [Alliance of Free Democrats], among others? The presently unified organization would split into two organizations with two chains of command, to perform the two types of functions, thus creating a clear-cut situation.

What Did the Framers of the Constitution Have in Mind?

[Baraczka] I am unable to provide an answer to this question in the framework of constitutional law, and the Constitutional Court was also unable to do so. The Court said that the armed forces as a whole were part and parcel of the executive branch of government, and that allocating ratios within the armed forces was a political issue.

[Lovetei] When it comes to allocating ratios and things to be done thereafter, the military is more competent than others in resolving the issues. I have listened to debate concerning this issue, and both solutions offered had some merit. I do not see any problem with permitting the evolution of a flexible system of linkage that adapts itself to the tasks at hand, between the various organizations. I could integrate all border defense functions within a single organization, leaving the present framework of constitutional rules intact, or, I could permit the use of the Honved Forces at and up to a certain level (the way the present legislative proposal has it), providing flexible linkage between the organizations. This is not a constitutional issue, it involves professional judgment and requires mainly a political decision.

[Koszeg] The government, the one that submitted this proposal seeks an amendment to the Constitution. I am certain that in 1989, when the present text of the Constitution was written, no one considered whether it would be permissible to avert an external incursion without any prior authorization by parliament. Quite obviously, the answer would have been "yes," had someone asked. But this question could not even have been raised at the time. Participants at the negotiating table wanted to rule out the forceful restoration of power at the time, to the extent possible by legal means, but this could not be clarified in the text, for understandable reasons. I believe that clarification is necessary in this regard. The problem is that the legislative proposal and the proposed amendment to the Constitution would create new ambiguities: They would not unequivocally settle the functions and the organizational belonging of the Border Guards, and would not define, for example, time limitations for the deployment of armed forces prior to proclaiming emergency conditions.

Are "Emergency Conditions" at All Necessary?

[Baraczka] The minister's argument supportive of the 1989 constitutional amendment includes an extremely important thought. The proclamation of extraordinary and emergency conditions creates a new situation, especially insofar as neighboring states are concerned. Accordingly, one has to proceed very cautiously, because the proclamation of such special conditions is an act that weakens confidence. Accordingly, such conditions must be proclaimed by the National Assembly or the President of the Republic only if they are certain that the decision is proportionate to the threat presented, and if they are also aware of the fact that the special conditions would

continue to function as a source of conflict. The legislative proposal presumes that the National Assembly and the President of the Republic possess up to the minute, mandatory information, and that based on such information they become masters of the situation: that it is their right and duty to decide whether to proclaim special conditions. All the law has to provide for is that both the legislature and the executive power, both having constitutional powers, be immediately enabled to make a decision, and to function while mutually checking the other branch.

[Koszeg] Based on the legislative proposal, the government could deploy two Honved brigades to avert the activities of an internal armed group even without proclaiming special conditions. In order to enable these brigades to move around fast, certain rights of the civilian populace may have to be limited, and this, too, raises concerns, if no emergency conditions are proclaimed. But if the two brigades were not strong enough to avert the threat, the government would, by all means, have to request the proclamation of special conditions. By the same logic, one could also require that unless a conflict was settled within three, six, or 12 hours, the National Assembly had to make a decision regarding the proclamation of special conditions.

[Lovetel] But the National Assembly could render such a decision within five minutes from convening, or it could postpone making such a decision for 12 hours. Therefore, I believe that it would suffice for the legislative proposal to mandate the government to inform the National Assembly without delay.

[Koszeg] Is there a difference from the standpoint of international law, whether it is the armed units of the Border Guards, or the Honved Forces who avert an incursion, irrespective of whether such incursion involves regular or irregular troops?

[Baraczka] There is no difference. The name of a defensive force, or the status of an armed force under the constitution within a country is irrelevant from the standpoint of international law. The basic tenet of international law is that whatever a state does must not constitute aggression. From that point on, everything else takes place under the internal authority for defense.

[Lovetel] In a certain sense, a state may be regarded as an aggressor even if another state perpetrates the attack: the first state viewed as an aggressor did not take part in the attack, but only enabled, or failed to take the necessary steps to prevent such an attack by the other state. From that point on, from the standpoint of international law, all defensive acts are justified.

[Koszeg] So far we discussed the extent to which the legislative proposal enabled the use of armed forces without proclaiming special conditions. Another problem with the legislative proposal is that it does not appropriately distinguish between emergency conditions and extraordinary conditions, even though the Constitution draws a clear distinction between the two. For

example, the National Defense Council must be called into being only in case of extraordinary conditions, yet, Chapter 8 of the legislative proposal repeatedly mentions "extraordinary or emergency conditions" together, and empowers the government equally regarding the two types of conditions to potentially restrict substantive rights.

How Far Can One Go?

[Baraczka] The Constitution provides normative definitions for emergency conditions and extraordinary conditions. The legislative proposal does not repeat text from the Constitution, and, from a legal standpoint, regards whatever is accurately defined in the Constitution as self-evident. As indicated under Point 5 of the General Intent, it was not possible to define with any finality in the legislative proposal the rules applicable to extraordinary conditions, emergency conditions and to the National Defense Council. This is so because the Constitution provides that the legal order under extraordinary conditions must be governed by a separate two-thirds law, moreover, it has to do so in detail, and the latter is at least as important as the former. But just how detailed must something be to satisfy my expectation of the level of detail? I am saying this, because the extraordinary legal order has an impact upon health care, education, the administration of justice, criminal law and criminal procedural law, and these things must be dealt with in a separate law to be enacted, and certainly not as part of the national defense law. At the same time, however, the national defense law must also address the issue of special conditions. Insofar as emergency conditions and extraordinary conditions are concerned, the distinction between the two is also blurred in the Constitution. The Constitution states that the same rules must be applied under emergency conditions as under extraordinary conditions. This law includes rules which apply both under emergency and extraordinary conditions, but, after careful review, one also finds some rules that apply only under emergency conditions and others that apply only under extraordinary conditions.

[Lovetel] Paragraph 19 Section (1) Subsections (h) and (i) of the Constitution clearly distinguish between extraordinary conditions and emergency conditions, insofar as proclaiming such conditions is concerned. The consequences drawn by the two kinds of conditions are also different. Under emergency conditions the President of the Republic plays a more intensive role than the National Defense Council, while under extraordinary conditions the situation is reversed. This fact sufficiently warrants a clear distinction between rules applicable to emergency conditions on the one hand, and extraordinary conditions, on the other.

[Koszeg] The proposal does not address local or regional emergency conditions. One might not be able to perceive extraordinary conditions locally, but natural disasters, such as floods, could very well create emergency conditions. One certainly should not proclaim emergency conditions throughout the country on such occasions.

One should declare a state of emergency in two counties, perhaps. This issue should be addressed, because under emergency conditions press censorship and summary judicial proceedings could be introduced.

[Baraczka] Whenever the National Assembly proclaims emergency conditions, it can also declare whether those conditions apply to the entire country or only to part of it. From that point on, the President of the Republic is in charge of the situation; he decrees emergency rules as they become necessary in his judgment. At the same time, the National Assembly, or the National Defense Committee of the National Assembly remains in continuous session, and has authority to suspend the enforcement of measures ordered by the President of the Republic at any time. The exercise of this authority represents constitutional control over potentially excessive, or, perhaps, illegal measures introduced by the head of state.

[Lovetei] Despite this fact, the truth is that the legislative proposal does not really draw a distinction between extraordinary conditions and emergency conditions. The proposal does not say that this and that may be done under emergency conditions, and some other things under extraordinary conditions. I am certain that a general restriction imposed upon the press under a partial state of emergency, or under conditions in which an emergency is declared in one or two counties only, would be unconstitutional, or, at the least, would constitute an abuse of the letter of the law.

[Baraczka] But in a nuclear disaster, for instance, the right to publish information of interest to the public may have to be restricted to prevent the exaggeration of the situation, causing panic.

[Lovetei] In the case of a disaster like the one at Chernobyl, silence by the press is exactly what is not permissible.

[Koszeg] The text of the legislative proposal deals with the various levels and scope of special situations in such summary fashion that it suggests to the executive power, the National Defense Committee, and parliament that they adopt a rather expansive view of the requirements.

[Baraczka] The law establishes the ultimate barriers, it states how far one can go. Within that, the organs of state power taking and controlling the actions must find the proportionate and necessary extent and scope of actions.

[Koszeg] The next disputed issue pertains to the direction of the armed forces.

Civilian Commander?

[Baraczka] The Constitutional Court has handed down two decisions in this regard. One is Decision No. 48 of 1991 concerning the direction and leadership of the armed forces, and the commander in chief's scope of authority, the other is Decision No. 63 of 1992, which

deals with issues regarding the chief of staff and the Commander of the Honved Forces.

[Koszeg] Based on the Constitutional Court's 1991 decision, the minister of defense and the government direct the operations of the armed forces. In contrast, providing professional leadership is the function of the Commander of the Honved Forces. On the other hand, the legislative proposal assigns tasks related to professional direction to the minister of defense, along with the operational direction. This expanded functional scope is contrary to the Constitutional Court decision because it almost designates the minister as the direct superior, virtually the commander of the Honved Forces, thus diminishing the authority of the Commander of the Honved Forces.

[Baraczka] Based on Constitutional Court Decision No. 48 of 1991, the government cannot withdraw any authority from the Commander of the Honved Forces even if it wants to, because the Commander has no independent constitutional authority aside from his authority to provide direction.

[Lovetei] This is the critical point in the legislative proposal; daily political debate is becoming tense concerning this issue. The Constitutional Court treated the defense minister's and the government's authority jointly, i.e., in the framework of the decision we see a more or less classic distinction between the authority of the commander in chief and the government. The Constitutional Court regarded the authority of the Commander of the Honved Forces as a residual authority, as a remnant, and said that the Commander had to perform his functions within the framework of directions received, in every respect.

[Baraczka] This issue can only be examined from the vantage point of jurisprudence. If the Constitutional Court states that every authority not assigned under the jurisdiction of either the President of the Republic or the National Assembly falls under the authority of the government, the combination of these three allocations must encompass every facet of the functioning of the armed forces, and if it also adds to this that the authority of the government cannot be diminished by law, but only by an amendment to the Constitution, it becomes entirely clear to me that from the standpoint of constitutional law, only the government is authorized to exercise power not allocated either to the National Assembly or to the President of the Republic. At this point, the only remaining question is this: what constitutes leadership and what constitutes direction, and how far does direction extend? In general, the limits of direction extend to independent authority defined in legal provisions. In terms of organizational and management sciences, independent authority at state organs means power delegated to individual heads of organs conveying exclusive decisionmaking authority to such heads of organs regarding matters required by law. These decisions cannot be changed based on direction given by an individual, the decisionmaking authority cannot be

withdrawn. Is is yet another question whether it would be possible to develop some legally defined jurisdictional scope for the Commander of the Hungarian Honved Forces, within the limits of which he could make independent decisions. The constitutional dilemma is this: To what extent could a commander have independent decisionmaking authority, one that he could exercise independently from those who provide directions?

List of Tasks

[Lovetei] It would be the function of this law to provide substance to the "distribution" of authority indicated by the Constitutional Court, the way the 1989 amendment to the 1976 national defense law did in its own way—the amendment that created the office of the Commander of the Honved Forces. In other words, this law, too, should contain a similar jurisdictional distribution. But this proposal creates something like a vicious circle when it says that direction provided by the minister encompasses even the authority to issue orders, but the minister exercises this authority without infringing upon the jurisdiction of the Commander of the Honved Forces. On the other hand, legal provisions dealing with the Commander of the Honved Forces do not contain a single jurisdictional rule. If I used the term "direction" in a general sense, one could regulate everything in the end, and the commanders would not have a single act of leadership to perform, acts that were not governed by directions. From the long list of tasks contained in the legal provisions in force to this day, one could have selected the tasks closely related to professional leadership, and these tasks could have been assigned to the Commander of the Honved Forces with the proviso that naturally, the leadership actions had to serve the purpose of implementing the acts provided by external direction (i.e., the government).

[Baraczka] This, too, is a disputed issue which could be settled in the framework of political mediation. A decision could be reached as to whether the law should enumerate the Commander's tasks, or if it should designate groups of tasks only. Neither the designation of tasks, nor the lack of such designation can be condemned from the standpoint of constitutional law. But regardless of the degree of accuracy by which the legislature defines the jurisdiction of the Commander, under today's constitution the definition is not going to protect the Commander against the government, which provides directions, from entirely usurping his leadership authority, if it wants to do so. Supposedly, there is not going to be a foolish government that does so, because the professional functioning of the Honved Forces is in the interest of both the government and the professional leadership.

[Lovetei] In my view, however, the government's authority to provide direction—involving mostly general, abstract authority—should be spelled out in the law, in order to prevent situations in which commanders receive arbitrary orders independent from the rules provided by law. I regard these kinds of guarantees as very essential.

[Koszeg] The Constitution categorically defines the National Assembly's authority relative to the armed forces. On the other hand, even the Constitutional Court decision makes reference to the fact that, for example, the approval of the budget constitutes a broader authority, one that also applies to the armed forces. But the annual defense appropriations become rational only if the National Assembly also renders decisions regarding long-term development plans. The standard text, however, only states that the National Assembly determines the chief means by which military technology is to be developed.

Long-Range Program

[Baraczka] Governments can change every four years in a multiparty democracy, and new governments may have different perceptions, and the entire economic environment of national defense may change. Development is necessarily a long-term concept, because what takes place in the short term is not development, but patchwork and the filling of voids. But the question is whether it is permissible to fix a long-term developmental program by law for ten or 20 years. Doing so would be characteristic of the party state whose convictions were based on the notion that the same policies would prevail ten or 20 years later. In reality, the National Assembly could, at any given point in time, change the decisions of its predecessors if in its judgment the situation had changed. It cannot do everything it would like to, of course, because it must face realities. National defense is a national cause, it amounts to more than directing the armed forces; national defense means the maintenance of the country's ability to defend itself, and every responsible political force must keep this in mind both in the long and the short term. Amid political changes the preservation of continuity is not a matter of legal provisions, instead it is an issue to be dealt with in the realm of general political theory. I cannot prescribe operational decisions to the next National Assembly in a two-thirds law, at the same time, however, every National Assembly must maintain the continuity of constitutional functioning. The preservation of a defensive capability is part of that.

[Koszeg] A long-range program, too, could serve the purpose of what is most missing from the legislative proposal: civilian parliamentary control over the operation and development of the armed forces. Or, to be more exact: The legislative proposal provides for civilian control on part of the executive power, which directs the Honved Forces, through a minister (as to who can be held responsible politically). So far, so good. But the role of parliament as an organ that exercises continuous control over the executive power is missing from codified law.

[Baraczka] The Constitution itself does not contain such provisions. The necessary constitutional techniques to do so are missing.

[Lovetei] Under emergency conditions the National Defense Committee of the National Assembly plays a huge role: It could suspend directions given by the President of the Republic, by the executive branch, it could restrict their effect both in time and space, etc. But the National Assembly Committee would be capable of performing this function only if a live relationship existed between the armed forces, the ministry, and the Committee also in times of peace.

[Baraczka] Establishing such relationship, however, is not the function of the national defense law, because the same could be said about health care, culture, the media, and many other things. Incidentally, nothing prevents the National Defense Committee today from requesting information needed to its work, by having the minister report to the committee even on a monthly basis. Moreover, in the framework of the duty to provide information, the Committee could also have division directors, and heads of main divisions report. One could demand that parliament perform its control function, would it not be for the tremendous legislative burden imposed upon parliament.

[Koszeg] Proclaiming emergency conditions and extraordinary conditions is within the authority of parliament, and of the head of state acting in place of parliament. Nationwide mobilization requires a decision of no smaller caliber than that, because mobilization and placing the armed forces at a higher level of alert precedes a state of war and could increase the threat of war.

When War Threatens

[Baraczka] Mobilization ordered by the government always takes place in secret everywhere, even though nothing remains a secret anymore due to today's intelligence gathering techniques. What is meant by mobilization? Mobilization means that an armed force begins to render itself suitable to fight, to be capable of moving once the National Assembly so decides. It is too late to mobilize after the situation becomes tense. Mobilization is like packing my things before I take a holiday.

[Koszeg] Wouldn't you say that national mobilization is something broader than that, something they do not even try to keep a secret, because it includes the call-up of reserves and bringing up the strength of skeleton staffs?

[Baraczka] In my understanding ordering mobilization, the mobilization plan, is entirely a part of professional military activities; mobilization as a legal institution amounts to the preparatory stage of war. Whether the decisionmaking authority in this regard rests with the National Assembly or the government is a matter of division of labor. But from a practical point of view, we must consider that legislative processes are more clumsy than those of the government.

[Lovetei] Whether we are faced with war or with emergency conditions, we should by all means avoid a situation in which the National Assembly is forced to make a decision without having prior information. In other words, even if mobilization remains under the authority of the government, the law should establish a requirement to at least inform the National Defense Committee. This kind of information could be classified as a state secret, but at least the various political forces would not be confronted unexpectedly by the government's decision to mobilize. Mobilization, after all, is no longer an affair of the government, but, as they used to say, of the entire nation.

[Koszeg] Thank you for the conversation.

* Reduction of Constitutional Court's Size Considered

93CH0682A Budapest NEPSZABADSAG in Hungarian 17 May 93 p 1

[Unattributed article: "Will the Constitutional Court's Size Be Reduced to Nine Justices?"]

[Text] (From our correspondent) According to information received by our paper, the seat of Deputy Chief Justice Geza Herczegh on the Constitutional Court foreseeably will not be filled. It is common knowledge that, a week ago, he was elected to the International Court of Justice in The Hague. According to the statutory regulations now in force, the number of justices on the Constitutional Court ought to increase to 15 next summer. But neither the political parties nor the court's justices are insisting on this expansion. In an interview he gave BIRAK LAPJA [JUDGES' NEWSPAPER], Chief Justice Laszlo Solyom said: "Technically, with that many justices, it would simply be impossible to hold an effective full session of the court." We have been told that the planned reduction of the Constitutional Court's size, which would require a constitutional amendment, might still be realized by the present National Assembly.

* Minister Defends His Stance on Telecommunications

93CH0686C Budapest FIGYELO in Hungarian 27 May 93 p 10

[Interview with Gyorgy Schamschula, minister of transportation, telecommunications, and water-resource management, by Janos Budai; place and date not given: "The Fate of MATAV—Faster Development Is an Existential Issue From Both a Political and an Economic Standpoint"]

[Text] The minister of transportation, telecommunications, and water-resource management recently declared that he intended to part with policies friendly to monopolies, which had a more negative than positive effect on Hungarian telecommunications development, that he wanted to announce tender invitations and to make tender awards on concessions for regional companies

where local governments so requested; and last, but not least, that he intended to accelerate the privatization of MATAV [Hungarian Telecommunications Corporation]. Surprisingly, members of the ruling party and the press close to the government were the first to attack Minister Gyorgy Schamschula for his statement.

[Budai] Recently MDF [Hungarian Democratic Forum] Representative Kalman Katona accused you of torpedoing the telecommunications policies agreed to by the government, and thus also the acceleration of telecommunications development.

[Schamschula] I do not wish to enter into debate with the representative. He has a right to express his opinion either in parliament, or to the press, or to the MATAV board of directors of which he is a member. I, on the other hand, have a right to listen to the opinion of any expert who is cultured, speaks foreign languages and is familiar with the history and developmental trends of global telecommunications, and whose clear view of things is not disturbed by a membership on the board of directors of the monopoly. I do not believe, of course, that my concept represents the sole salvation for Hungarian telecommunications development. I welcome any rational, professionally well-founded critique. But I do not accept the idea that the sole path leads through MATAV's monopoly.

[Budai] In other words, do you intend to accelerate telecommunications development even at the price of abridging MATAV's monopoly? Some people believe that only this monopoly is capable of resolving our problems.

[Schamschula] The country suffers losses amounting to tens of billions of forints annually due to the backwardness of telecommunications. Moreover, the fact that the density of telephone service in the countryside is well below the national average is particularly damaging, because this, too, contributes greatly to the countryside's decreasing ability to retain its population, to the resultant workforce migration, and to increased unemployment. The example set by the west demonstrates that the rapid development of the telecommunications network, and within that, the establishment of local networks, is the precondition for economic growth. Consequently, the fastest possible development is vital from the country's standpoint, both in an economic and political sense.

[Budai] This has already been said many times by many people—including in this Ministry—over the past several years. Nevertheless, the monopoly remains. The pace of development is fast as compared to our previous situation, but unsatisfactory and slow from the standpoint of demand, and the creation of a law to regulate telecommunications is delayed by more than two years.

[Schamschula] During the past three years MATAV's concept gave preference to the development of the backbone network, this, however, increased the backwardness of the countryside, intensified the problems I

mentioned before, and increased society's dissatisfaction with the telephone network. This is why local governments began to organize telephone companies, which MATAV hindered more than helped with the exception of one or two, even in places where MATAV had no developmental plans for the next five years. Unfortunately, this policy was also supported by this Ministry earlier. This has come to an end now. Where MATAV is not capable of developing the network within a limited time, concessions must be let to those capable of performing high quality work, and within the necessary short period of time.

[Budai] In response to this idea, however, some claim that as a result of this action MATAV is going to depreciate before it is privatized!

[Schamschula] MATAV selected the most economical regions, and began developmental work only in those areas. In other words, concessionaries would receive only the less profitable areas. Announcing tender invitations and awarding concessions in these areas will present a clear picture of MATAV to foreign investors, and will increase MATAV's privatization value as a result of severing the areas with low profitability! At the same time, as compared to MATAV's plans, this solution accelerates the development of the telephone network. On top, it does not contradict either the law, or the telecommunications policy concept adopted by the government.

[Budai] Thirty percent of MATAV has to be sold to foreigners, according to this telecommunications policy concept. You regard an even higher ratio as acceptable.

[Schamschula] Once the rights of minority shareholders are codified as part of Hungarian civil law, a 25 percent share plus one vote is going to suffice to enforce the state's strategic interests, and the resultant excess capital is going to accelerate the development of communications.

[Budai] Not too long ago you asked MATAV to submit to you its detailed, quarterly financial reports. Why was this necessary?

[Schamschula] Even though the State Property Management Corporation [AVRt] exercises ownership rights over MATAV, the Ministry of Transportation, Telecommunications and Water Resource Management is responsible for the implementation of the telecommunications law and of telecommunications development, and, as an authority, it has the duty to set rates. The data I requested are needed to perform these tasks, and to verify the actions of the service provider. I am not angry with MATAV, instead, the simple situation is that MATAV operates in a strategically important area and therefore requires increased attention.

*** Seizure of TV Stations Explained; Permits Pending**

93CH0686B Budapest HETI VILAGGAZDASAG in Hungarian 29 May 93 pp 72-73

[Article by Janos Doboszay: "Banned Television Broadcast Stations; Building a Case in the Air"]

[Text] A well-organized action by the authorities managed to silence six television stations in Bacs-Kiskun County. These stations enabled local residents to view satellite programs at relatively low cost, but in doing so the owners of the stations committed the crime of "violating press regulations," according to official justifications. The operators of these stations are now waiting for the prosecutor's office to declare that contrary to the Frequency Management Institute's (FGI) view, their actions were consistent with rules.

On 13 April, before noon, assisted by policemen in civilian clothing, employees of the FGI raided television stations in Southern Hungary almost simultaneously; with a degree of organization reminiscent of times before the system change, they sealed technical facilities and seized broadcast equipment. These proceedings evoked particularly great outrage among local residents, because the television stations established late last year, supported by a foundation in Nagybaracska and by local governments in Fajsz, Melykut, and Sukosd, did not broadcast independent programs, but only relayed satellite programs to local viewers.

Leaders at the Media Development Foundation of Bacska headquartered in Nagybaracska, and at local governments operating the rest of the stations (including the one at Hajos, visited a few days later by FGI men acting on the same grounds as before) understand the provisions of the 1986 law to mean that no official permit is needed unless they broadcast independent programs. These people continue to insist that their interpretation is correct. They intend to broadcast their own programs locally only after obtaining the required permits.

The operator of the privately established Del TV, which also fell victim to the authorities on 13 April, was less concerned about the meaning of these provisions, he also broadcast local reports. "I received a report, according to which the authorities were planning coordinated action to render low power local television stations inoperative," Jeno D. Szabo recalled the events of the day. He operated a station from his outlying farm near Baja. "When they arrived at my farm, I told the FGI men and the police that I regarded the entire proceeding illegal, because I had not received advance official notice. They responded with a broad smile and pulled out an already executed search warrant."

Sukosd Mayor Andras Logo, responsible for the operation of the local transmitter in his community, was also chosen to become a victim of these proceedings. "The

authorities justified their action on grounds of substantial cause to believe that I violated press regulations. The policemen conducted themselves properly; one could tell that they were forced to assist in the FGI action," Logo said in response to our inquiry.

The action began in a similar way in Nagybaracska, except that there a speck of dust got into the authority's "liquidation machinery." At combined studio and office premises, people representing the Media Development Foundations showed FGI agents a "forgotten" passage of the 1986 decree. It reads as follows: Broadcast stations not engaged in the broadcast of independent programs, the so-called relay stations, may be operated without a permit, however, their operators shall report the existence of such broadcast stations to the authorities. Since the foundation filed such a report with the Office of the Prime Minister on 12 February 1993, and since the station only relayed satellite programs, the people who came to Baracska to seize the equipment were satisfied with sealing the premises only.

"We did everything we could to obtain a permit," Alliance of Free Democrats Representative Andras Nagy, a member of the foundation's board said. "We were looking for a loophole in the law, of course, because the various offices believed to have jurisdiction in this matter continued to point at each other, instead of addressing the merits of the case. But we do not think we are in violation of press regulations, because Law No. 2 of 1986 establishing the reporting requirement is still in force." The Representative appears to be correct, the relevant legal provision was amended in January 1993 to the effect that studios having to report their establishment must address their letters to the Office of the Prime Minister, and not to the Ministry of Culture. Based on all this, the leaders of the foundation asked the lead prosecutor of Baja to determine that the complaint filed by the FGI with the city and county police lacked foundation, and, in the absence of a criminal act, to halt the proceedings.

Contrary to views expressed by local governments, Andras Nagy believes that Jeno D. Szabo, the operator of Del TV has a weaker case, because he also broadcast independent programs. Peter Tomka, chief of the radio control division at the FGI, believes that from the standpoint of managing frequency allocations a privately operated station also broadcasting its own programs must be viewed the same way as other stations operated by local governments which only relay programs. "Our primary concern is not the kind of program a station broadcasts; our responsibility extends to ensuring the clarity of frequencies for legitimate users," the division chief said, and asserted that the dismantling of transmitters also became necessary because they were a "potential source of disturbance to military units protecting the border."

Andras Nagy claims that had the television transmitters endangered the country's security, he, as a member of the National Defense Committee of parliament, would

have heard of it. When local sources told him that the FGI was also invoking military considerations to justify its action, he called the commander of the locator unit along the border and was told that no disturbance had been noted during television broadcast hours.

Earlier, the violators could have gotten away with a rules violation proceeding, Tomka said, but since the "warnings" accompanied by requirements to pay fines of 3,000-4,000 forints had no effect, this year the FGI leadership decided to take more practical steps against those "pirating" the ether. The operators may retrieve their equipment stored at the FGI's Budapest headquarters, if and when their stations become legitimate.

No one ventured to say whether shortchanged citizens would be indemnified should it be proven that the FGI had based its proceedings on perceived, and not on an actually committed crimes. But the previous and future operators of these stations are really not concerned about this today. Their main concern is whether their competing bids for newly started local broadcasting is going to be viewed favorably. As of today, it remains a puzzle how the "illegal past" is going to weigh in the eyes of the jury.

[Box, p 73]

Frequency Moratorium

Contrary to common belief, the so-called frequency moratorium was not ordered by any law or decree. The Nemeth government issued a position statement in July 1989, which never became law, calling upon the then-competent Ministry of Transportation, Communications and Construction not to make further frequency allocations until the enactment of a new law concerning information, the postal services and telecommunications.

In the summer of 1990 the newly convened National Assembly adopted a resolution that called upon the Antall government to develop a legislative proposal on frequency moratorium, prohibiting the allocation of direct and relay broadcast frequencies suitable to transmit radio and television programs until the enactment of a law on broadcast licensing, replacing the 1986 law. But like its predecessor, the Antall government, too, remained indebted with drafting the new law. Former FGI Director Istvan Hazay said that in his view citizens and legal entities could not be required to abide by the moratorium either before, or now. In his view, if a moratorium ever existed, it only went so far as to prohibit the allocation of new frequencies. But since the FGI has exclusive authority to allocate frequencies, only it is capable of observing or violating the moratorium. Accordingly, the operations of the "pirate stations" cannot be regarded as illegal either, the former FGI director said in a MAGYAR HIRLAP article on 30 June 1992.

During the three years of the perceived frequency moratorium, the FGI received 350 applications for the

establishment of studios, and more than 500 people requested permission from the Ministry of Public Education (MKM) to do the same (HVG 1 May 1993). Meanwhile, however, between 25 and 30 radio stations experimented with illegal broadcasting throughout the country. Quite a few of these involved accidental "violations of the moratorium" by amateur radio operators using prohibited frequencies.

FGI officials began to take action this year, and only after initiating close to a dozen rule-violation proceedings. The transmitter installed at Matyasfold, in the former Soviet barracks, was first to be dismantled. The FGI claimed that the station had no permit to broadcast ever since the withdrawal of the Soviet troops. In contrast, the management of INTERHANG, which operated the station, argued that although two of their applications to broadcast had been rejected by the FGI in 1991, the Budapest Court had set aside the FGI ruling in June 1992, ordering new proceedings.

After parliament scuttled the media law on New Year's Eve 1992, the government decided to free the frequencies without trying to reach an agreement with the opposition parties. It did so by issuing a 3,000 series—officially not secret, nevertheless not to be publicized—decree providing for the order of licensing local radio and television studios. Based on government determination No. 3158/1993, dated 22 April 1993, the Ministries of Culture, Finance, the Interior, Justice, as well as Transportation and Communications, would delegate one representative each to an interministerial committee to judge competing petitions responding to an invitation to establish studios. An independent division for studio-licensing, to be established soon at the Ministry of Culture, will render decisions regarding the petitions, based on positions taken by the committee. Such decisions may be appealed to the minister of culture, and the minister of culture's decisions may be challenged in court.

The 40,000-forint package containing rules about how to apply, went on sale the other day. Petitions submitted earlier must be resubmitted in the form of competing petitions. Broadcast license applications submitted by corporations with a controlling interest in Hungarian and foreign media will not be considered, according to the rules.

As a first step, between 100 and 120 station permits are expected to be issued, according to MKM Deputy State Secretary Gyorgy Fekete, and the interministerial committee intends to observe "even geographical distribution" in formulating its judgment. Applicants selected will receive broadcast licenses in late summer after the conclusion of the evaluation process, and only thereafter will they receive frequency allocations from the FGI.

*** Difficulties of Small Businessmen Detailed**

93CH0682D Budapest NEPSZABADSAG in Hungarian
17 May 93 p 16

[Article by Tibor Szello: "Artisans Are in a Difficult Situation"]

[Text] Jozsef Hefter, an automobile repairman, is the president of the Budapest Association of Guilds, which has 33 member organizations with a combined total membership of 23,000. He has been in business for himself since 1979 and is familiar with the situation of small businessmen. He feels that artisans are in a critical situation, their prospects gloomy, their mood bad, and their burdens ever greater. They also believe that society does not appreciate their work adequately.

In Budapest there are about 40,000 artisans operating small businesses. In Hefter's opinion, they deserve considerable credit for maintaining their services in a declining economy. For a market economy to develop in Hungary on the basis of private enterprise, it would be necessary to recognize that the primary task of politics is to serve the economy. The framework and conditions must be put in place that guarantee the functioning of a sound economy. Instead of which, the economy has now been fashioned into a tool of politics. Yet only its economy is able to support a country, regardless of what kind of government is in power.

Business must have support! It is constantly being emphasized just how business-friendly politics is, but a system for supporting and stimulating small businesses has still not evolved. Production and the service industries are declining steadily. Millions are needed to start even a small business—a shop, for instance. Many people think they are better off depositing their money in the bank and living on the interest, without having to work. It is not surprising that nowadays no one wants to go into business as a producer. A businessman has no incentive to invest in enlarging his shop either, because the state grabs, in the form of taxes, a large part of the invested capital.

The wide variety of taxes and rates aggravates the situation. Especially painful for artisans are the high social-insurance rates. When introduced, the employers' obligation to provide the first 30 days of paid sick leave for their employees will be a heavy financial burden on employers. That obligation will affect artisans more than it will large plants, because the absence of even one worker creates a considerable production dropout and higher costs. Many artisans within our association will respond to this with layoffs. It must be realized that a businessman will be willing to invest only if the return on his investment is large enough to justify the risk.

Artisans ought to be helped with concessions. It would be important to provide incentives for hiring the unemployed. If a businessman were certain that he could claim a specified amount of tax credit for hiring an extra worker, he would stop to consider whether it would be

worth his while to hire someone. Such solutions would facilitate the free migration of labor and could reduce the number of unemployed persons.

Furthermore, it would be absolutely essential to cut certain taxes. A tax system ought to be devised that offers incentives to plow back profits into the economy. It would be important to allow tax deductions for investments.

In the association president's opinion, it would be of considerable help if the government were to acknowledge, and also to prove in practice, that solution of the artisans' situation could benefit the country, by enabling artisans to prosper, invest, hire workers, and eventually even to develop into medium-size or large enterprises. In a properly functioning capitalist democracy, it is a fundamental principle to aid small businesses, because they are recognized as the backbone of the economy. That ought to be recognized in our country as well!

*** Budapest Stock Market Transactions Detailed**

93CH0682C Budapest NEPSZABADSAG in Hungarian
17 May 93 p 20

[Article by the Budapest Stock Market's secretariat: "Continuing Demand for Compensation Notes"]

[Text] Based on the prices at which the orders were executed, the total value of transactions on the Budapest Stock Market between 10 and 14 May 1993 was close to 3.0 billion forints. Government debt instruments, including treasury certificates, accounted for about 2.8 billion forints within this total. In a departure from the trend in recent weeks, investors' demand was similar both for short-term and long-term government obligations. Last week, 180-day discounted treasury certificates of the 1993/IV series were added to the listed government obligations.

There were 76 transactions involving shares with a combined total value of over 40 million forints. There were no truly significant changes in share prices. Fotex shares dropped from Monday's opening price of 253 forints to a closing price between 251 and 252 forints at the end of the week. IBUSZ [Touring, Forwarding, Travel and Procurement Corporation] shares likewise showed no significant change, remaining in the 930- to 940-forint range. Only the price of Pick shares rose, from 1,335 to 1,350 forints. The price of Dunaholding shares fluctuated during the week: there were transactions in the 20,700-to-20,000-forint range. On Friday the trading volume was unusually high: 180 [Dunaholding] shares were traded at the 20,000-forint price.

Trading in compensation notes remained lively: 77,810 compensation notes were traded in a total of 68 transactions, at steadily declining prices. The price of a compensation note was 700 forints at the beginning of the week, but persons wishing to sell their compensation notes received only 660 forints per note at the end of the week. The May par value of a compensation note was

132.1 percent of the basic denomination (for instance, 1,321 forints in the case of a compensation note with a basic denomination of 1,000 forints). If we compare the market price of compensation notes with their current par value, we get nearly 50 percent.

Once again, only a few investment-fund shares were traded. Of the four investment funds listed on the Budapest Stock Market, the CA Equity Fund was the only one with traded shares. The price was in the 9,300-to-9,350-forint range.

The Budapest Stock Market Index closed on Friday at 667.03.

*** Committee Tasked To Improve Fiscal Affairs**

*93CH0682B Budapest NEPSZABADSAG in Hungarian
17 May 93 p 1*

[Article by Miklos Merenyi: "The Committee on Streamlining the State Budget's Planning and Execution Will Meet Today for the First Time"]

[Text] The finance minister has convened the Committee on Streamlining the State Budget's Planning and Execution for 11 am today. This will be the committee's first meeting. The committee members, whom the prime minister appointed at the end of April, will find out today what their task will actually be.

The idea of setting up a committee to submit recommendations for streamlining the state budget's planning and execution, as well as a schedule for the recommendations' implementation, arose already last summer but was soon shelved, because too many interests would have been affected. During the September negotiations with the IMF, however, the finance minister of the day retrieved this idea, particularly because the IMF set the

elaboration of a program for the state budget's consolidation as a condition for unfreezing its three-year loan agreement with Hungary.

A list of proposed committee members was compiled already in January, but the prime minister kept deferring his decision. For a committee whose life was to continue beyond the next general elections, it was difficult to find candidates who were independent, yet acceptable to the government. Kupa's proposed list was revised, first by Ivan Szabo, the newly appointed finance minister, and then by the prime minister himself. Finally, practically at the very last minute before the new round of IMF talks, the candidates were invited to accept seats on the committee. Obviously, this last minute invitation was no accident: the government wanted to emphasize also in this way its determination to carry out the state budget's consolidation.

The committee's secretary is Zoltan Nagy, the administrative state secretary at the Ministry of Finance. In a statement, he expressed his hope of producing results already by autumn, and of being able to submit by next spring specific recommendations to the government—perhaps already to the new government after the elections—in the form of legislative bills to amend statutes now in force. The committee's only opposition member is Gyula Gaal, a Free Democrat MP who is also deputy chairman of the National Assembly's Budget Committee, and chairman of the committee overseeing the Auditor General's Office. In his opinion, a program must be drafted that will be acceptable both to professionals and politicians. For the time being, several other members of the committee did not wish to comment on their committee assignments, because it was not yet clear to them what the actual task of the committee would be. Observers expressed their reservations about the unnecessary big roles assigned to politicians linked to the ruling coalition, although it is undeniable that professionals are in a majority on the committee.

*** Visegrad Group Integration With NATO Discussed**

93EP0261A Warsaw TYGODNIK SOLIDARNOSC in Polish No 20, 14 May 93 p 1, 4-5

[Article by Krzysztof Zielke: "Polish Road to NATO"]

[Text] God helps those who help themselves.

The whole world is watching, with concern, the developments in Russia, where a dyarchy is growing rapidly. The German defense minister, Volker Ruhe, clearly motivated by German security interests, proposed to accept the Visegrad Group countries into NATO (after an appropriate adjustment period).

Only Poland is in an idyllic mood. The minister of foreign affairs informs parliament members that he has been offered a lucrative post of judge in The Hague. The rest of the government gets excited about ensuing casting moves of the type: the minister of foreign affairs to The Hague, the minister of national defense to the Ministry of Foreign Affairs, the chief of the National Security Office to the Ministry of National Defense, and so on.

Fortunately, there are also other signals. Suddenly, out of the blue, the chief admirers of Russia, A. Michnik and L. Bojko, have begun to threaten us with the danger of a spreading fascist and imperialist ideology there, which, on top of it, is supposedly financed by their chiefs of staff. The minister of national defense, Janusz Onyszkiewicz, stated firmly on television that we want to be with NATO, and that is that. Furthermore, the same was said by no other than...Mr. President. He said that there is only one security system in Europe, that its name is NATO, and that Poland should be its member.

As we can see, full accord there: The president, the government, and the opposition, as well as 70 percent of the nation (according to public opinion polls), are of the opinion that we should join NATO. And what of it? Nothing.

As it turns out, however, despite the general accord, our feelings toward NATO are pretty lukewarm. Perhaps it might be useful, but actually we are not exactly sure for what purpose because, according to our defense doctrine, we are not threatened from anywhere.

The disintegration of the state government in Russia, having gone on for a few years, reached its peak at the time of the referendum, and what is to be feared more than its further disintegration, in the long run, is its consolidation. It seems to me that we now have a rare set of circumstances and a chance to formally put forth the issue of our future membership in NATO. That means we have a real chance for a breakthrough in the process of integration with NATO.

What seemed controversial and unreal a little while ago is so near at hand today that it may seem certain. Let us hope we do not end up having only that belief. To fully appreciate the present moment, it is necessary to analyze

the new configuration of forces in Europe and to consider the threats and possible political options.

Thus, after the collapse of the bipolar system, in which the United States and the USSR dominated the whole world, a new unipolar system has started to take shape. As it was put in Minister Skubiszewski's statement addressed to Manfred Woerner, Secretary General of NATO, (in February 1992), the new security system within the CSCE may be seen as:

"Concentric circles extending from the most stable core of NATO countries, through a sphere of weaker security, to the extremely unstable peripheries, such as the Balkan region and the region east of the Caucasus."

There are still attempts to reconstruct the bipolar system. With Western consent, Moscow would again dominate the former Soviet republics. It cannot be denied, however, that there is a sphere of weaker security along the main strategic axis, as well as spheres of destabilization and war in the south.

Poland is situated on the main strategic axis, constituted by the European plains that spread from Paris to Moscow, in the very center of the sphere of weaker security. That sphere has three zones:

1) the former German Democratic Republic, from which Russian troops will withdraw and which will join NATO in 1994

2) the Visegrad Group countries—Hungary, the Czech Republic, Slovakia, and Poland—which the Russian troops will have left by the end of this year

3) states created after the dissolution of the USSR, where Russia maintains its military presence and political influence: the Baltic countries, including Konigsberg, Belarus, and Ukraine.

From Poland's point of view, the best way to achieve stabilization in Europe is to enlarge the sphere of stability by the inclusion of the Visegrad Group in NATO. It would essentially decrease the sphere of weaker security. At the same time, it would have a stabilizing effect on the regions neighboring Central Europe—that is, the newly created states of Eastern Europe and the Balkan region.

And what does NATO have to say about that?

Contrary to recent pessimistic estimates, it is increasingly apparent that the key countries of the West are inclined to agree with that reasoning. They see a need to speed up and radically intensify cooperation between Poland (as well as other Visegrad Group countries) and NATO, until full membership is reached in the future.

Initially, the United States and the NATO Headquarters itself were most favorably inclined toward Poland's endeavors. The main opponent of the expansion of the NATO alliance was France, which, to an extent, also represented the views of Germany.

At the moment, it is Germany, together with the Headquarters of NATO and the always-favorably-inclined Pentagon and the Government of Great Britain, that is the chief proponent of our admission to NATO. After the parliamentary elections in France, our main opponent also became more favorably inclined. After the presidential election in the United States, however, our previous chief sponsor seems not to notice us, while it is busy supporting Yeltsin's government in Russia.

On the whole, however, our position seems to be much better than, let us say, a year ago. It is probably not as good as during the Moscow coup in August 1991, however, when the West, terrified by Russia, was ready to offer us plenty, if only the coup lasted just a little longer. It was then, after all, that the "triangle" concept of assisting Russia was born, through the mediation of the Visegrad Triangle. The fact that today that concept has no chance is more evidence that a threat like the Moscow coup may sometimes offer an opportunity.

Unfortunately, what may also come with it is a black scenario—that is, destabilization from the East.

Let us first adopt certain assumptions. Let us say we do nothing in Poland beyond empty talking about how happy we are because we are about to become members of NATO, the Common Market, and so forth. On the other hand, let us assume that the situation in Russia develops according to a negative scenario—that is, the period of dyarchy and unrest slowly comes to an end, and one of the authoritarian and neoimperialist government variants wins. It does not even have to be fascism. It may just happen that, around the new quasi-democratic unified government, there consolidate influences of former friends of Andropov (for example, A. Wolski), the heroes of Afghanistan (of Gen. Gromov's type), and the defenders of Russian minorities in former republics (for example, the vice president, Gen. A. Rutzkoi), who take the people of Russia into strong hands in order to continue reforms designed to better balance prices and salaries, and in order to "stabilize" the former Soviet territory.

It is not difficult to foresee rising opposition in the Baltic republics against a suspended withdrawal of the Red Army, the resistance of Belarus against the incorporation of its troops into the imperial army, or the resistance of Ukraine against giving away the Crimea, the Black Sea Navy, and 176 rockets with nuclear warheads.

Growing tension around this last conflict not only threatens with the danger of spilling over to neighboring countries, but even with a local nuclear war.

NATO states also see it that way and, on the basis of NATO's "Outline of Strategy" (Part I, Point 10), adopted in February 1991 in Rome, are afraid that conflicts in our region may lead to crises threatening European stabilization, and even to armed conflicts that could engage outside powers and spill over to NATO countries, with a direct impact on NATO security.

It is difficult to imagine that the Polish Government would not foresee such a possibility and would not perceive such threats.

After all, we do not need destabilization of all of Europe to get a hit. And I do not mean by that merely such aftereffects as a wave of migration or radioactive fallout. It will be enough, after all, if Russia, involved in conflicts within the post-Soviet territory, wishes to improve its strategic position by persuading us to cooperate—for example, by threatening with intervention. Or, in a different way, Russia may, for example, demand keeping some "logistic-transport" bases (for instance around Warsaw). As we know, Russian troops have stayed there with short intermissions for 300 years. It is, therefore, a strong argument.

What will the West do then? Today, it assures us that it will not remain indifferent. Will it risk admitting us to NATO, if it may be interpreted as a direct provocation aimed at Moscow? Personally, I doubt that. Let us assume, however, that it will be so. What happens then? A process of that type has to take time. All of the members of NATO, and there are 16 of them, have to consent. Wouldn't that situation of suspended action be too strong a temptation for the Russian staff? The Russians might just decide that, instead of agreeing to a NATO presence next door, it would be better to visit Warsaw with a few divisions. No big war. Just something that would take less than 100 hours and be as far from NATO borders as possible. Afterwards, they could withdraw immediately, right after they succeed in persuading the new Polish Government that Poles would be better off remaining a bridge or, rather, a road between the East and the West.

Without deciding to what extent that is a probable scenario, we should concentrate on how to eliminate any possibility of its occurrence.

We may, on the one hand, pray intensely for democracy to win in Russia, for a free market there and the anti-imperialist option. On the other hand, however, we can take some action ourselves. As they say in the West (in countries with Protestant backgrounds): "God helps those who help themselves." We can, therefore, present our own proposals to strengthen and speed up our integration with the West in the area of security.

Association with, or immediate membership in, the NATO alliance?

It is a bit of a false dilemma to me. In no situation will our integration with NATO happen immediately. It will always be a certain process. In every situation, a certain adjustment period is necessary. It may or may not take the form of an association.

Actually, we are already somewhat associated with NATO. Back in November 1991, at the summit in Rome, the NATO countries adopted a compromise that was meant to be such a response to the integration request by the Visegrad Triangle that would not at the

same time antagonize Russia. That compromise found its expression in the unfortunate formula of the so-called North Atlantic Council for Cooperation, which is probably the last international organ recreating the divisions of the cold-war era. We were admitted to it as, first and foremost, former members of the infamous Warsaw Pact. A formula of that type, by which we are to cooperate with NATO under the leadership of Russia, is of course unacceptable. That is not the type of association or cooperation with NATO that we want.

The basic question should therefore be formed in a different way: How can we achieve the kind of status that would irreversibly initiate a process to be logically concluded with our full membership in NATO? In short, the key problem is to determine what association is at the same time possible and achievable and would ensure a "downslide" effect. That would mean becoming so close to NATO from the very start that even the most dramatic chain of events would not stop the process but, rather, would speed up our full integration into the NATO alliance. The search for the "downslide" formula may at first glance seem like a roundabout way of reaching the goal. Perhaps. Nevertheless, if the issue of our membership were that simple, our partners from NATO would not go through such complicated motions as the North Atlantic Council for Cooperation, either.

The association formula as an adjustment period and a "downslide" may prove indispensable for two reasons. I wrote two, but it really is a matter of one—money.

Our immediate membership in NATO may be seen by the people of NATO countries as an effort to push them into financing our security. We would then be seen as those who want to take away their "peace dividends"—that is, the expected savings on defense spending that they have won by winning the cold war. It is especially true about Americans.

Second, as shown by many years of experience (at least from Munich to Yugoslavia), the people of the Free World, although ready to sacrifice (even for the security of others), usually do it only after the threat materializes and usually when it is too late to remedy the situation merely by means of financial support.

Thus, the basic question is: How can we enter the process of integration with NATO in such a way that the unavoidable costs and risks of the operation are as low as possible?

Right now, it seems both possible and necessary to reach such a breakthrough in our relations with NATO that will launch us into a process through which, at some point, our full membership will become easy and obvious to everyone. In a word, it seems that the time is ripe to come forth with the Polish initiative for the "Treaties for Democracy."

An initiative of that type would aim at lowering barriers and possible resistance toward our future membership in the alliance in both NATO and Russia. We may not

demand too much at the beginning if the breakthrough is to take place at all. We have to find the golden mean that, for minimum initial resources, will bring maximum results.

The "Treaties for Democracy," put forth by Grzegorz Kostrzewa-Zorbas back in 1991, is such a proposal. The proposal refers to the formula of association between the Visegrad Group and the EC—in other words, to the so-called European Treaties.

The association with the European Economic Community was meant not only to guarantee our admission to the Community in the future, but also to create for us an advantageous situation in which we could profit from participation in the Common Market without the costs. We would not, however, have any influence on the decisions of the Community.

In comparison with the so-called European Treaties, the "Treaties for Democracy" would be more of a formula for adjustment before full membership, rather than an association. We could use the alliance umbrella, with little possibility, initially, to influence policies. Nevertheless, it seems that we already have a chance to get more from NATO through negotiations than we have so far achieved from the EEC.

I am not saying that we will get, suddenly and immediately, full guarantees of security, a guaranty of admission to the alliance and a date for it. It seems, however, that we will achieve our goals for the future just as well by accepting something less today.

There is no doubt that the "Treaties for Democracy" should contain the first four articles of the Washington Treaty—that is, a confirmation of the commonly shared and commonly protected values of the West. Those four articles do not yet contain a commitment to a joint defense (that is included in Article 5), but Article 4 already allows cooperation among the signatories in case of a threat to any one of them, according to their own mechanisms. It is only Article 5 that allows joint planning and early preparation of a response of the whole alliance to a possible threat against any of the signatories.

For the moment, during the period of transition, a fragment of the NATO Copenhagen declaration of June 1991 could be formalized as a mutual commitment

The consolidation and preservation of democratic societies and their freedom from any form of oppression or threat lies within our direct and material interests

It is not yet a guarantee of security, but better something than nothing.

Treaties like that should be made as international as possible. That is, they should be signed not only by the particular members of the Visegrad Group and NATO as a whole, but also by the key NATO countries: the United States, Great Britain, and Germany. It is imperative that at least two countries on each side sign them.

The signing of the "Treaties for Democracy" should be a psychological, political, and strategic breakthrough. First, a clear definition of our goal will allow us to better define threats to that goal as well as ways to counter them. Second, the signing of the above treaties will allow us to stand out from the rest of the postcommunist countries. Third, they will be a formal basis to undertake concrete cooperation—for example, in organizing peace operations or undertaking joint actions in cases of common threats. Finally, the treaties should contain a clause that would make it impossible for the transitory period to become a permanent state, while ensuring "sliding down" to full membership in NATO (and in the very near future—two or three years).

We must not waste the favorable situation.

Regardless of whether the above proposal is the best solution to the dilemmas of our security, one fact seems certain. If we want to make use of what is left of the extremely favorable circumstances, we must come forth with new initiatives as soon as possible. The form of our initiative is probably a secondary issue. We may find out that a formal application for membership in NATO may prove more effective than the proposed indirect solutions.

It is obvious, however, that we have not had the kind of favorable geopolitical configuration we have right now not only for many years but also for many centuries. It must not be wasted.

It is also obvious that this "dying moment," the "current European situation that restored us to ourselves" just as the days of the Constitution of the Third of May, will not last forever. That is why there is an urgent need for us to come forth with breakthrough proposals for integration into NATO.

It seems that the above proposal to put forth and sign the "Treaties for Democracy" with the NATO alliance and its key states would open a road for us and make the process of integration faster and more irreversible than other variants. If we could get an assurance of our inevitable membership in NATO, in this or a similar way, we would be able to make full use of our new and maybe strongest trump card of the geopolitical situation in an effort to speed up our integration with the West in areas other than security. In particular, we would become a more attractive partner to the Common Market.

We could also expect specific economic advantages. To give an example, at the time of the cold war (that is, until 1989), under U.S. pressure, all of the Western countries agreed to ban all transfer of the newest technology of military significance (for example, computers) to communist countries (as ruled by a special committee, the so-called COCOM [Coordinating Committee on Export Controls]). The ban is still in force to some degree for Poland and Bulgaria, even though it was lifted for Hungary and the former Czechoslovakia. The signing of

the "Treaties for Democracy" would speed up a complete lifting of the COCOM ban and perhaps even facilitate access to the newest technologies by our arms industry and other industries.

Specific projects might also be developed—for instance, the creation of a training and transportation base for NATO peace operations at the airport in Modlin (near Warsaw), which would make Warsaw the largest cargo airport in Central Europe in the same way that Frankfurt am Main became the largest passenger airport.

The greatest advantage to be gained, however, will be the final grounding of our real and permanent security. Besides that, it is really through NATO that Poland has a chance to gain full integration with Western Europe and to become its true and active member.

The admission of Poland and other countries of the Visegrad Group will serve to stabilize and balance the whole of Europe. In its western part, our membership will serve to strengthen the U.S. presence in Europe and to correct the general balance, which was slanted after the unification of Germany. In its eastern part, a larger sphere of security will have a stabilizing effect also on the neighboring countries. The newly created countries in the East and in the Balkan region will finally have a valid example that it pays to follow the road of peace and democratic reforms.

* KPN Leader Discusses Regional Party Structure

93EP0271A Warsaw *RZECZPOSPOLITA* in Polish 14 May 93 p 3

[Article by Ryszard Rybus, based on a conversation he had with Leszek Moczulski, leader of Confederation for an Independent Poland: "Certainty of Control"]

[Text] Leszek Moczulski declares calmly and nonchalantly, as though commenting at the end of dinner that he is in the mood for a cup of coffee: "First I'll become prime minister, and then president of the Republic."

Then, to dispel any incredulity, he adds: "It's a foregone conclusion that the KPN [Confederation for an Independent Poland] will govern Poland, and everyone knows it, after all."

We are speaking at the party's headquarters in Krakow, a few moments after a news conference, at which the KPN leader gave assurances that he was prepared both meritorically and psychologically to assume the office of prime minister. ("After receiving the offer, I surely won't shout: 'Who? Me? Why, that's impossible!'"")

According to Robert Koscielny, head of the Krakow District of the KPN, during the past year Leszek Moczulski attended about 50 meetings in that voivodship. There have been more meetings recently. There were eight just in April and at the beginning of May.

Krakow is reputed to be the political fortress of the Democratic Union, and it undoubtedly is, insofar as the

intellectual and artistic communities are concerned. On the streets, the center right is the noisiest, speaking both figuratively and literally; in Nowa Huta, the KPN reigns.

Does Krakow have a special place in KPN activities?

It was Krakow that gave Leszek Moczulski his seat in parliament, and he talks about the principle of "noblesse oblige" vis-a-vis the Wawel capital. It is from here that the eminent Prof. Aleksander Krawczuk represents post-communists in the Sejm. The KPN here obviously has its hallowed symbols: the tomb of the Pilsudski, Oleandry, and the Kosciuszko monument at Sowinciec. But there are happy memories from the most recent times, too. The Krakow District was the only district where the party operated in the open and, even during the 1980's, was not forced underground.

Looking at the future, however, Nowa Huta seems to have the greatest significance for the KPN, or, rather, to be more exact, the attitude of its residents has.

"If You've Had Enough of the Morass"

It seems like nothing. Now retired people, pensioners, and the unemployed gather on the benches near the Central Square in Nowa Huta. Some pensioners are still in their prime and are therefore all the more frustrated. Of course, there is bitterness and complaining. Where to look for hope? "Come back, oh Commune?" No, there are no PRL resentments here. They still have the street fights with the riot troops of the ZOMO [Motorized Reserve of the Citizens Militia] during the 1980's fresh in their minds. Bogdan Wlosik, who was shot by an officer of the SB [Security Service], became a Nowa Huta hero, with fame reaching beyond a mere monument. Invectives against the present leaders pour out, nonetheless. The words "thieving" and "liberal" are usually linked. The KPN offers a beacon of hope in the political confusion. It issues its party paper GAZETA POLSKA, out of goodwill it helps the Obrona social protest movement that is developing here, and it sets up meetings with Leszek Moczulski, who explains tersely and concisely the reason for the simple steel mill worker's plight: He blames it all on the thieving liberals from the post-communist *nomenklatura*.

But the KPN helps Krakovians unload political dissatisfaction, and in a more refined manner. During one of the many presidential crises in the self-government several months ago, when one of the factions of the council blocked the competitors by disrupting the quorum and walking out of the meeting hall, the KPN put up a list of obstructionist council members, with their home addresses and phone numbers, in the window of its headquarters on the Maly Rynek [small square] and invited all interested parties to express their personal feelings and wishes.

Today, hanging in that same window, there is an appeal signed by the district chief. It begins simply with the

words: "If you've had enough of this morass that Poland is sinking into..." and urges: "Don't give up! There's still the KPN."

It Is Easy for Them To Inflict Their Demagoguery

Robert Koscielny, the KPN's Krakow District Chief, does not give the impression of an extremist or a demagogue to even the slightest degree. He is young (32 years old), has a good presence, usually dresses in sportswear, and represents the generation of activists who began the KPN adventure in the atmosphere of martial law.

"Back during martial law, I noticed Solidarity's conciliatory spirit, but the KPN's uncompromising attitude and radicalism appealed to me."

He says that the Pilsudski legend, so important to the KPN's founders and its generation, was no longer of decisive importance. What counted was the will to act, to stand above the various disputes.

"I like the discipline that rules in the KPN. If our operating style were like the Union's, where distinguished gentlemen gather to hold wise discussions with each other and then leave with a sense of having fulfilled their obligation, the KPN surely would no longer be in existence."

The KPN divides its members into two categories, ordinary and active. It has nine regions, 49 districts, and 250 operational sectors. The party estimates that the Krakow District has 150 active members upon which it can always count. Krakow has nine operational sectors, Nowa Huta has four, and Malenice has one. Because the KPN has no party spokesman in the press and cannot afford paid announcements, its propaganda activity is based solely on the work of its activists. Other parties could be jealous of their activity. During the first few days in May, before the four meetings with the chairman, activists distributed 18,000 leaflets to Krakovians and put up 800 posters around town.

Ryszard Gitis, who was the KPN's candidate for president of Krakow several months ago—the voting was symbolic; only one of the council members belongs to the party—justified his political choice this way:

"It may be more convenient to work in other parties, but what appeals to me in the KPN is the constancy of its principles: patriotism, decency, honor. During the 1980's, although I was wholeheartedly on the side of Solidarity, I felt an unsatisfied hunger for political slogans. There was too much concern for good, fat, juicy sausage...."

The above-mentioned Krakow appeal does not lack "sausage" [bread and butter issues], however, because there is also a call for cheap investment credit, along with a demand for moderate taxation and "exemptions that take a family's situation into account," as well as the development of housing construction. When the KPN's

deputies are on duty, the doors never close. But how can one not seek help in a party that promises to "work to limit unemployment and a rise in employee earnings? There are also greater state budget revenues, without the need to raise taxes, making it possible to bring about full valorization and a real increase in pensions and retirement pay, as well as budget outlays." Alongside bread, circuses have not been forgotten: "punishing communist criminals and economic swindlers" undoubtedly corresponds to people's ideas of justice.

"It is easy to accuse us of demagoguery, but please show me an economic program that you expect to see carried out."

We Shall Govern!

When asked what distinguishes the activists of his party from his political competitors, Leszek Moczulski points out "the attitude of service."

"People do not come into the Pilsudski party in order to think up a program."

But what distinguishes the KPN from other parties is undoubtedly the leader's position. Krakow activists speak simply about "the chairman" or "Mr. Chairman."

Ryszard Gitis characterizes the leader's moral authority this way:

"I once deliberated over what this phenomenon consists of. Surely, there are not any autocratic features, as our competitors say. The reason for his position is the ability to do revelatory political analysis. And, alongside that analysis, there is the flood of proposals, with conclusions stemming from the decisions, and the decisions are carried out with courage and consistency."

To a church-goer, Moczulski is a "man of great stature," whose merits lie in his ability to sustain the KPN's longevity under many years of repression and persecution.

KPN activists, like the head of the party, are entirely certain that the KPN will come to power, and it will not take long.

"I am 100-percent convinced that we will govern, and we have the predisposition to govern, both in the public's mind and in our own minds," Gitis assures me.

Then he adds by way of explaining the reason for keeping a personnel database:

"Our attention is focused now on personnel issues regarding the country's future."

Koscielny points out: "Once the public, which is dissatisfied, realizes which political forces have already governed and what sorts of results they have achieved, it will surely see that we are its only hope for the future."

There is just one problem left: Will the victory that is sure to fall like ripe fruit from the tree be accompanied by the rustle of voters' ballots or the clanging of revolutionary excesses?

Gitis thinks that, if the dissatisfied and embittered citizens go out into the streets to demolish the elegant shops and Mercedeses, it will not matter whether there is a "red" or a "black" in the driver's seat. And it is only the KPN's symbols that insure protection against the anger of the mob. At the same time, all KPN activists emphasize that, heaven forbid, they are not encouraging any revolutionary attitudes. They are just ready to stand at the head of the disappointed ranks, if need be. ("We are the only party that dares to show its face on the street.")

And then, insofar as the threat of "revolution" is concerned: "Revolution does not necessarily mean the Bastille or hanging one's opponents. The 1980 revolution did not cause the breaking of a single window," says Włodzimierz Godłowski, doctor of astronomy at Jagiellonian University, one of the few recognized KPN representatives of the academic community.

Leszek Moczulski himself talks about "the race against time."

"If the major political forces do not manage to hold elections soon, things may reach great proportions and result later in revolution, but that would be the worst solution for us."

When the KPN's political optimism about its chances of coming to power is mentioned, the KPN's opponents and observers of the political scene wink. It is true that some people say that in politics the winner is the one who wants it the most, and it is certain that the KPN does not lack the desire to win.

*** Supreme Officials To Be Exempt From Wartime Draft**

93EP0274A Warsaw RZECZPOSPOLITA
(EVERYDAY LAW supplement) in Polish 4 May 93 p 11

[Article by Włodzimierz Bieron: "Not Everyone Will Go to War: The Official List of Shirkers"]

[Text] In case of a mobilization, the introduction of martial law, or an outbreak of war, reservists will be incorporated into the Army. Not everyone, however, will be. Some of them will avoid battle because they occupy an appropriate position in the state bureaucracy. Some will be reclaimed because of the character of and the need for their jobs during a war.

The provisions of the decree of the Council of Ministers of 3 April 1993 laying out the reclamation procedures will be followed from the moment they go into effect, but they will have effects on the citizens only when those peculiar circumstances occur.

If a mobilization is declared, every reservist will have a designated time to report to his assigned military unit, and everyone else with a military obligation will report to the military offices for supplements—everyone, that is, other than those under reclamation, which denotes a release from the duty to perform active military service.

Reclamation from the military in case of war will be made by office and on application. Reclamation on account of office includes deputies, senators, local council members, individuals in management positions in the state, from the president and prime minister through the presidents of the Supreme Chamber of Control and the National Bank of Poland, ministers, deputy ministers, all the way to deputy voivodes and deputy presidents of cities at the voivodship level. Further, the decree includes a list of 74 positions, which some call the official list of shirkers, and those offices cause the reclamation of their occupants from active military service.

The list includes the directors of the offices of the chancelleries of the Sejm and the Senate, the president's advisers and his press spokesperson, the directors of ministry departments and ministerial advisers, rectors of institutions of higher learning, directors of state forests, and heads of treasury offices because war does not end tax collection.

Reclamation on application can be carried out for soldiers in the reserves who are employed in the administrative bodies and self-governments, in plants included in the program for the mobilization of the economy, in organizational units of the Ministry of National Defense, the Ministry of Internal Affairs, and the Ministry of Justice, and in public health-care institutions, if those individuals are essential because the positions they hold are necessary to maintain the continuity of the operation of their institutions during a war. The managers of the institutions should submit applications for reclamation to the appropriate local military office for supplements.

Reclamation procedures are carried out in peacetime and, in effect, are purely a matter of record; people change jobs and so lose or gain the right to reclamation from military service. Lists of reclaimed individual are kept current so that, in case of a mobilization or—knock on wood—war, we can begin with a prepared, settled civilian staff and so that the reclamations are given according to actual needs and not in haste or as a result of pressure.

*** Army Budget, Equipment Spending Discussed**

93EP0273A Poznan WPROST in Polish No 20, 16 May 93 pp 32

[Article by Krzysztof Andracki: "God Defend Us: This Year's Purchases of Ammunition Allow Each Polish Army Soldier to Fire 28 Shots"]

[Text] In this year's budget of the Ministry of National Defense [MON], approximately 12 percent of the expenditures, or 3.8 trillion zlotys [Z], are earmarked for buying technical equipment. Considering that one American F-16 plane costs more than Z300 billion and the French Mirage 2000 more than Z400 billion, that is not very much, but, even so, we can consider this year to be a success.

Since 1988, the MON budget was systematically decreased, and expenditures for equipment were limited to a greater degree than computations would indicate. It is the opinion of Colonel Tadeusz Jedynasty, director of the Supply Department for Military Arms and Equipment, that the Army had started to dismantle itself from the bottom. Given the opportunity, the Polish weapons industry, in debt specifically because of the disintegration of the USSR and the embargo on trade with Iraq, will pull away from this bottom. MON orders will not save the plants, but at least they will buy the little time they need to find a foreign customer that will buy our weapons in the future.

Of the Z3.8 trillion, 20 percent will be expended on import.

At the moment, we must forget about supermodern equipment from the West—about "intelligent" mines, bombs directed by laser beams, rockets, planes, and so forth. Moreover, for the entire sum allocated for purchases, we could import scarcely 10 planes, and, without the infrastructure needed, they would be of little use. Only the most indispensable spare parts from CIS countries needed for repairing Soviet equipment, which is dominant in the Polish Army, are imported.

The remaining 80 percent will find its way predominantly to plants in Mielec, Stalowa Wola, Antoninek, Radom, and Warsaw. In Labedy, the ministry will buy 10 "Twardy" tanks with armor plate, 10 late-model wheeled transports, and 10 caterpillar transports, as well as 12 "Gozdik" 122-mm self-propelled howitzers.

There are approximately 2,800 tanks at the disposal of the Polish Army. Poland has signed an agreement on reduction of conventional weapons in Europe, which stipulates that, after 1995, Poland will be entitled to a maximum of 1,730 tanks. The process of eliminating the surplus has already begun: The oldest tanks that have seen the most service are being cut. We have about 800 of the better type T-72 tanks that are comparable to the newest Western designs. Even so, the tank divisions are more up-to-date than other types of defense capabilities.

Significantly worse is the situation in the air force; this year, it will get three "Orlik" training planes, four "Iryda" planes, and 11 W-3 "Sokol" helicopters. It will get no additional fighter planes, which we simply cannot afford.

The agreement mentioned allows us 460 combat planes, and we have about that many. Approximately 300 of them are antiquated overexploited MIG-21's.

Only 50 planes of the MIG-23 and MIG-29 type can meet the demands of modern warfare.

Quite likely, we will not be able to maintain the ceiling set for us, just as we will not attain it in strike helicopters. We were allotted 130 of those, and we have 30.

For current training, the Army will buy 7 million pieces of ammunition of various calibers—from 5.45-mm to 8-mm—and 9,000 pieces of artillery and tank ammunition. For an Army numbering 250,000 soldiers, the ammunition purchased will be enough for each soldier to fire 28 shots. Were it not for stockpiles, it would be difficult to implement the firing-training program—all the more so because reservists also need refresher training.

In the Radom "Lucznik," MON will buy scarcely 8,000 machine guns.

The cross-country vehicles long used will not be replaced by 176 tarpanes, even if they are equipped with Italian motors. The press, in the matter of Aleksander Gawronik, wrote about Land Rovers from military stores that could, after general repair, reinforce the Polish Army. At the moment, no decisions have been made in this matter, and the budget does not provide for such purchases.

The Army will also buy 50 Polonez cars. To replace those expensive cars, cars from the West were tested for Army use two years ago, but, because of a lack of money, that idea was abandoned.

* Conference on Logistics in Army Discussed

93EP0274B Warsaw POLSKA ZBROJNA in Polish 25 May 93 p 2

[Article by Stanislaw Lukaszewski: "For the Good of the Military"]

[Text] To work well together, it is necessary to know one another well. But there are new organizational structures in the Ministry of National Defense and the General Staff of the Polish Army and new people in many positions, although nominations for key positions frequently went to individuals with experience and professional seasoning. But it is necessary to get acquainted in the new conditions and with the new tasks.

Thus, there have been many meetings with the head of the General Staff of the Polish Army and his deputies. At those meetings, the tasks performed until now are discussed, and a new vision of what is before us is drawn. Among the many central institutions in the Ministry of National Defense, two perform important roles: the Inspectorate for Logistics of the General Staff of the Polish Army and the Department of Control of the Ministry of National Defense. Those two institutions belong to two separate organizational structures. But it is necessary for them to cooperate closely in performing their tasks. For that to happen, it is necessary for them to

get acquainted with each other. That was the point of a recent meeting, a conference of the management personnel of the Inspectorate for Logistics of the General Staff of the Polish Army with the management personnel of the Department of Control of the Ministry of National Defense and the delegates from Bydgoszcz, Wroclaw, and Warsaw, the locations of the commanders of the military districts.

At the beginning of the conference, General of Division Zbigniew Zalewski, the head of the Inspectorate for Logistics and a deputy head of the General Staff of the Polish Army, emphasized the great significance of the meeting in creating new kinds of relations between the inspection and the audit bodies located at present in the Ministry of National Defense, and the management bodies of the Logistics of the Armed Forces at the central and district levels. Ongoing contact and exchange of information will permit early detection of possible improprieties and disturbances in the operations of the military economy and provide a decisive influence on the effectiveness of control.

"In creating military logistics, especially in the complicated conditions of a transformation of the national economy," said Gen. Zalewski, "we want to benefit from the rich knowledge and experience of the officers of the control apparatus of the Ministry of National Defense and take into account their opinion in order to avoid the mistakes made in the past."

"Mutual acquaintance with the structures and principles of operations of both institutions," noted Gen. Zalewski, "is not without significance. Both recently began operations in their new shape. And, thus, new experience is only beginning to accumulate."

General of Division Jan Wojtala, the director of the Department of Control of the Ministry of National Defense, emphasized the positive influence of the fact that two newly formed institutions have begun their operations by getting to know one another and formulating the aims of their cooperation. Such an approach, in which the good of the military is the superior goal, should bring measurable benefits.

Proposals for further work will be developed on the basis of results from past operations. Gen. Wojtala characterized the results in the military economy for the past year and for the first quarter of the current year. "We have, unfortunately, a real threat of the occurrence of improprieties in areas associated with the immediate mechanism of the market economy. That applies to ordering, establishing the costs and the profitability of providing work and services by civilian suppliers, the providing and settling of advances for making purchases, and so forth. Those improprieties can result from a lack of experience and preparation of economic officers in the economic apparatus of military units. There is still time, by means of appropriate supervision and audits, to counteract that threat.

Gen. Wojtala discussed the role of the Department of Control of the Ministry of National Defense. The department will develop a proposal for so-called disciplining of the economic procedures, especially including the new organizational, legal, and economic conditions. It will, while avoiding improprieties, also find material and financial reserves and report on the effectiveness (or ineffectiveness) of particular spheres of the military economy.

Rapidly providing necessary information to the central and district logistical bodies and helping with its appropriate use will be the duty of control operations.

During the meeting, which was a working conference, views on particular, specific areas of the military economy were exchanged. The discussion pointed to the need for further training of the economic personnel of the military, especially in the area of a market economy, and training to raise the level of service supervision.

Our rapidly changing reality places new tasks on us. To meet them appropriately, it is necessary to regulate the provisions on the use of economic funds; it is also necessary to change many normative acts concerning the military economy. Some of the normative acts do not apply in real life and not only do not facilitate work, but even make it more difficult. And, without progress, it is difficult to speak of satisfactory prospects.

The operations of the Inspectorate for Logistics, like those of the Department of Control, have fallen on hard times. The difficulties are increased by the lack of appropriate financial resources. Not only is there no money for the construction of apartments, but there is not even any money for the maintenance of the current infrastructure. The decapitalization of personnel housing and barracks is continuing. Thus, the country's difficult economic situation creates an even more pressing need for the proverbial pinching of every penny and for setting priorities for expenditures. Thus, the role and place of control is all the more justified. It is good that this conference was held. The military as a whole will benefit from such meetings. The point is always to develop a policy jointly through meetings of the parties. In this case, the goals of both the Inspectorate of Logistics and the Department of Control will coincide.

* New Tariffs on Imported Goods Discussed

93EP0272A Poznan WPROST in Polish No 20, 16 May 93 pp 13-14

[Interview with Andrzej Arendarski, minister of foreign economic relations, by Piotr Andrzejewski and Krzysztof Golata; place and date not given: "Reduced Tariff"]

[Text] [WPROST] Aleksander Gawronik said that most of the alcohol and cigarettes in our market come from smuggling that cannot be suppressed simply because it is profitable for someone.

[Arendarski] Those kinds of judgments are not supported by any concrete data and are so widespread that it is difficult to argue with them.

[WPROST] And a simple comparison of prices? A packet of foreign cigarettes, on which duty and tax are paid, certainly cannot cost as much as is frequently charged.

[Arendarski] Let me repeat: We do not have data indicating that most of that import avoids the duty. We are aware, however, that the borders are "leaky," and, if we could control everything that comes in, we could probably increase our budgetary income significantly.

[WPROST] If we ask why in this case the borders are not "plugged," you will probably answer that we do not have funds for that.

[Arendarski] That is not all. Primarily, we are concerned about a certain philosophy. According to one "school," borders should be "plugged." I would willingly subscribe to that opinion were it not for the fact that, in practice, that cannot be done anywhere in the world. Another "school" believes in control of trade within the whole country. Because the best equipped and the most honest tariff services are not ready to "catch" all of the illegal import, the missed part gets into the country in one way or another. In the United States, for example, for a smuggler who crosses the border, the problem just begins: where to sell his wares. In Poland, "hot merchandise" can be sold to almost everyone: at the bazaar, on the corner, or even in a normal shop. Therefore, we must first of all set up tariff police, who would operate in the whole country and control trade in goods and in trade documents.

[WPROST] What is more expensive, creating a police force or "plugging"—increasing the number of border crossings, including, as some want, crossings specialized for clearing cigarettes, for example?

[Arendarski] Obviously, the choice is a sham. We must do the one thing and the other, and I would add that it is absurd to believe that the situation would be improved by creating specialized border crossings for specific merchandise. Such a solution would not replace authentic computerization. If it is finally introduced, merchandise will be able to cross at a hundred customs points and will be recorded in one place.

[WPROST] The question remains, however: what tariff will be imposed? The recently published plan on tariff changes looks toward cooperation of two lobbies: the agricultural and the textile.

[Arendarski] That plan was not published. It was a leak of a confidential document.

[WPROST] Why confidential?

[Arendarski] In every country, the preparations for that kind of regulation are confidential. In Poland, the government is preparing that document in consultation with

representatives of various trade groups, but its final shape should remain secret until the final publication, if only to place everyone on an equal footing. As far as the influences of a lobby, that is done all over the world. Do you believe, for example, that the administrative officials decide on prices in Brussels? On the contrary, the prices are the result of the influence of various lobbies: state or trade. I intend to operate similarly so as to reinforce the influence that representatives of the countrywide self-governing communes, organizing various trades, have on the economic decisions made by the government.

[WPROST] If a curial decision to increase tariff on hamburger is adopted, which causes a rise in prices leading to inflation, that would be hard to recognize as an example of a normal play of interests.

[Arendarski] I cannot fully agree with your description as "curial." The Western countries protect the interests of their agricultural producers on an immeasurably greater scale than we do, and inflation indexes in those countries are at a very low level. Formally, the customs rates were maintained at the present level, and a change depends on the collection of minimal tariff payments. On the one hand, that assures acting against the phenomenon of unfair competition that depends on the lowering of customs value, and, on the other, it certainly allows a respite for the producers of poultry in the country so that they might adapt to meeting the greater competition. When our poultry is eventually brought to the market, market regulations—that is, competition of local producers—should force a decrease in costs, including those in the trade network.

The scale of foreign penetration of the market is also crucial. The international trade regulations that have been adopted permit introducing the means for protecting the market from being flooded with imported merchandise that harms or could harm Polish producers.

I believe that the agricultural lobby is especially strong in Poland, and one of the reasons for that strength is the lack of a serious consumer organization that would counterbalance the agricultural lobby. There is therefore an alternative: to organize a consumer organization or, following the example of many countries, form a state office—for example, a minister without portfolio for consumer protection.

[WPROST] Do you believe that forming still another institution will change the situation?

[Arendarski] That depends on what kind of authority it would be given. I think that the government, in the interest of the public and in its own interest, should sponsor a strong extragovernment consumer organization. The situation today is such that, when the minister of agriculture attacks me, demanding various regulations advantageous for agricultural producers, I have only one ally in the government: the Antimonopoly Office. And, certainly, its operations should pertain to something else.

[WPROST] Let us return, however, to the new customs tariff. In the context of the agreement on joining the EC, can we set customs rates independently, or is the upper limit defined?

[Arendarski] In practice, each international agreement defines a limitation of the freedom of the participants to the agreement. The agreement with the EC, which anticipates a gradual liberalization of tariff limitations and limitations other than tariff, limits both sides, with the exception of the situation described in the agreement: the possibility of increasing tariff rates for industrial articles relative to the state of protective tariff in force before the temporary agreement becomes valid. The rules of cooperation established with respect to agricultural articles give both sides a greater margin of freedom, including increasing tariff rates.

With respect to other countries that are members of GATT and hold most-favored-nation status, with which we have agreements on creating a free trade region, arranging our membership in GATT will mean setting rates at the top level, essentially without the possibility of increasing them. Quite the opposite, we will accept the obligation for their systematic decrease. As a liberal, I would like our tariff rates to be the lowest and our being wide open to the world to become permanent and to intensify. The new conditions for Polish membership in GATT will mean recognizing Poland as a country with a market economy and will reinforce the direction of the tariff policy, which my liberal's soul supports. We cannot fear competition, but let us not lose sight of the fact that some segments of the economy are not ready to compete with the West. For example, the oil-refinery sector should be protected during transformation by concessions, contingents, and tariffs. A few years will be needed for privatization and modernization of this strategic industrial branch.

[WPROST] The EC countries are also afraid of the export of Polish products.

[Arendarski] The export of Polish agricultural articles most of all. During foreign visits, Prime Minister Suchocka, Ministers Skubiszewski and Bielecki, and I always ask about the chances of opening Western markets and increasing our export potential in that way. Access to Western markets is one of the basic conditions for the success of reforms in Poland.

[WPROST] Your opponents believe that opening the Polish borders has destroyed our industry.

[Arendarski] A high-level EC official admitted that he is surprised by such a wide opening of Polish borders to imports. Perhaps it was a mistake. On the other hand, we must say that we have an adequate apparatus for investigating the damage that excessive imports might do to the Polish market. There are many opinions—just in the case of smuggling—that are intuitive.

[WPROST] In the new customs tariff, a general premise for decreasing customs rates was adopted.

[Arendarski] That pertains mostly to rates for raw materials and investment goods that are not produced in Poland.

[WPROST] Which articles will be cheaper?

[Arendarski] No doubt we will find out about that at the end of May.

*** Border-Police Struggle With Smugglers Detailed**

93EP0269A Warsaw POLSKA ZBROJNA in Polish 5
May 93 p 3

[Article by Beata Zylonis: "Smugglers Are Doing Fine"]

[Text] According to the Ministry of Finance, 1-10 billion cigarettes are smuggled into Poland every year. As a result, the state loses approximately 9,000 zlotys [Z] on each package of cigarettes.

According to Marek Mikuskiewicz, owner of the MarcPol chain of shops, the 10 largest alcohol smugglers in Poland made Z217 trillion (!) last year.

In the first three months of this year, 15 tractor-trailer loads of coffee, worth Z12 billion, were smuggled into Poland from Austria. The estimated losses in customs fees are Z2.5 billion.

Furthermore, Poland is becoming a place where "dirty money" is laundered on a huge scale. Millions of dollars are smuggled across the Polish borders.

The smugglers' resourcefulness is unlimited. In one case, not one pair of shoes could be found in a tractor trailer allegedly loaded with shoes. Instead, one could find 18,000 bottles of champagne there.

Two containers from Nigeria marked "Furniture" turned out to contain oil drums full of marijuana, to the amusement of the Polish customs officers. Altogether, 6.5 tons of the drug, worth \$32 million, were found. In that instance, the smugglers did not show much resourcefulness.

Did they not expect that such a huge shipment of furniture, sent to Poland from a small Nigerian village, would look suspicious—moreover, because the transport costs had been prepaid? Two Polish nationals who showed up to claim the containers were arrested. So was a Dutchman involved in the case, who was detained after an international arrest warrant was issued.

The customs officers from the border crossing in Ogrodniki found cigarettes worth Z6 billion in a Latvian refrigerator truck that was supposed to carry a shipment of matches. To date, it is the largest cigarette bust at that checkpoint.

Plush toys, which were the official cargo of a German tractor trailer, turned miraculously into 36,000 liters of "Royal" alcohol, worth more than Z7 billion. The two

Germans arrested in the case were also responsible for smuggling large quantities of duralex products and videocassettes.

The smuggling of people has become a known fact, as well. We do not talk only about shipments of illegal immigrants from Romania and Bulgaria to Germany. Poland is a poor country, but one that is close to Western Europe, on the one hand, and has a large number of unwanted children, on the other. Hence, the number of illegal adoptions—that is, trade in babies—is growing. Those children are then smuggled abroad. A baby in a trunk? Why not?

However, of the smuggling operations uncovered by the authorities, the majority are drug-related. In addition, the number of Poles involved in that profitable business has grown in the past few years. Late last January, a Polish citizen was arrested in Caracas, carrying three kilos of cocaine in his waist pouch.

Many petty dealers have found a home in the Netherlands, where drugs are easy to obtain; the only problem is shipping them across the border.

LSD is the easiest to smuggle. One thousand LSD-saturated pieces of paper fit in a small cardboard carton, which can be hidden anywhere. Furthermore, it is easier than ever to buy hashish, marijuana, or even heroin and cocaine in Poland. One can make money in that way for a long time, provided he is neither busted nor becomes an addict. Drugs are a sought-after commodity. Even if one is not able to sell them in the retail trade, he can always engage in bartering.

The best example of that is a transaction completed by one of the Polish smugglers, who bought two cars, a Mercedes and an Opel, for 3.1 and 1.37 kilos of hashish, respectively. The deal went sour, however, when both vehicles turned out to have been stolen in Denmark. It happens quite often that one smuggler rips off another.

The biggest drug bust in Poland so far happened in April, when the authorities found 100 kilos of pure cocaine in the trunk of a Dutch-registered Mercedes. More recently, a record heroin bust took place at the Warsaw Okęcie airport. In addition, another 12.5 kilos of that drug were found in the luggage of the ambassador from Costa Rica.

Citizens of CIS smuggle more and more mind-altering drugs for Polish drug addicts. They also have plenty of stuff for beginners—relanium, relardon, and oxazepam.

The production and the smuggling of amphetamines is also growing. In January, the police discovered a well-equipped laboratory in Bielsko Podlaskie, the output of which was supposed to be exported.

Neither smuggling aircraft nor using aircraft to smuggle is anything new. It turns out that it is easier to smuggle planes and helicopters than cars for the simple reason that customs officials are posted at only a few Polish airports. Besides, until recently, the Main Inspectorate of Civil Aviation did not even require proof of customs

clearance when registering new aircraft. It was enough to repaint the smuggled aircraft and stencil—legally—the Polish identification number on it to make it legitimate.

The fact that Polish airspace is not guarded very well favors the bad guys. The experienced smugglers reportedly fly in and out of Poland without any problems.

In January, customs officers from Rzeszow discovered an aircraft-smuggling operation involving planes from the East. The Lublin-based company Exin failed to submit seven turboprops, bought from the Russians, to customs for clearance. As a result, the Treasury lost Z30 billion. In addition, the customs officers from Rzeszow seized 15 repainted helicopters, whose owners were unknown. Five of the helicopters had been parked at the Rzeszow airport since June 1992. Only recently, a Lithuanian firm claimed ownership of those aircraft.

The Russians are the worst troublemakers as far as air-smuggling operations are concerned. Only after long haggling did they sign an agreement, according to which a Polish customs post was to be set up at the military airfield in Legnica, which is the base for Red Army troops pulling out of Poland. The Polish authorities had reason to believe that the airfield, with its extraterritorial status, was a place through which the Russians shipped fuel and alcohol, as well as smuggled and/or stolen cars, out of Poland, without paying the customs fees. Last year, the Russians prevented the Polish customs officers from clearing a score of automobiles amassed at their airport. They did not budge even when the chief of the Polish General Staff issued a nontakeoff order or when the Polish authorities announced that they would file a formal diplomatic complaint.

According to the agreement, on 30 January 1993, Polish customs officers began checking every departing aircraft, especially those with Russian servicemen and their families.

The fact that the Polish skies are not well protected has made it easier to smuggle illegal immigrants into Poland. Last December, the Ukrainian security service arrested the crew of a helicopter that had flown 18 Pakistanis and 11 Indians to Poland in November. Those unwelcome guests were detained by the Polish border police.

As it turned out, that smuggling operation was run by four officers of the Ukrainian Army's Carpathian Military District, including the unit commander. They were caught only after the seventh flight.

The Eastern and Western mafias have been involved in well-organized contraband operations for quite some time. Poland, because of its geographical position, is a potential battlefield between those mafias. (Some say the turf battle has already begun.) The situation is worsened by gaps in Polish entrepreneurship and financial law, as well as by the fact that the Polish authorities are not prepared to fight organized crime. Corruption in the state administration, indicated by various swindles that have come to the surface, is another factor. This is a poor

country, where even the top officials make little money. As a result, the mafia is penetrating all spheres of the legal economy.

The Polish security services are greatly concerned about the powerful Eastern mafia, which is active in the majority of postcommunist states and is in the process of developing ties to organized crime in other countries. The Eastern mafia specializes in stealing and smuggling automobiles, as well as in procuring white slaves for brothels in Western Europe. In addition, it is involved in smuggling cigarettes, alcohol, narcotics, and weapons on a grand scale.

Another source of concern is the growing trade in radioactive material. In 1991, the authorities recorded 30 such cases. Last year, there were as many as 100. The smuggling was allegedly conducted by individuals. However, pessimists claim that the smuggling of radioactive material is in the hands of organized crime, as well. It is difficult to detect because only three out of more than 100 Polish border checkpoints are outfitted with radioactive-material-detecting gates. The situation is not likely to improve, given the fact that one such gate costs more than Z200 million, which makes it rather unaffordable.

The problem would not be solved even if all border-crossing points were outfitted with that equipment because there are ways to camouflage the "glowing" goodies so as make them undetectable by the Geiger-Miller devices.

Poland is becoming a central passageway for contraband of precious substances from the former USSR. Large quantities of materials needed for the production of the A-bomb, such as uranium, plutonium, caesium, strontium, cobalt, and osmium, are being transported through Poland, often with the help of Polish nationals.

It may be that the contraband uncovered by the authorities is nothing more than the tip of the iceberg. The real number of customs and tax offenses is difficult to estimate. However, one thing is certain: Those dealings are on the rise. Unfortunately, it does not seem that the Polish authorities are able to step up their countermeasures to meet the challenge.

* Narcotics Market Description, Statistics

93WD0610A Warsaw GAZETA WYBORCZA in Polish
15-16 May 93 p 14

[Article by Dariusz Rostkowski: "Drugs on the Doorstep"]

[Text] Last Tuesday, Szczecin customs officers found over four tons of hashish in a truck loaded with tea. Two Poles carrying 15 kg of heroin were detained a day earlier by Bulgarian customs officers on the border with the former Yugoslavia. Another two, with 10 kg, were caught by them two weeks earlier. On 20 April, customs officers at the Warsaw Okęcie airport found 12 kg of heroin in

the luggage of the Costa Rican ambassador to Poland. For the time being, we are a transit country for the smuggling of heroin and cocaine, but we will soon become another recipient.

The oldest route for smuggling narcotics through Poland is the so-called East Asia route. It starts in India, Burma, or Hong Kong and ends, as all the routes do, in Western Europe. For 20 years now, the police have had information about couriers using that route.

A "younger" route goes from Turkey through the former Yugoslavia. The Balkan route is used to smuggle heroin from the so-called Golden Crescent, the territory on the borders of Afghanistan, Pakistan, and Iran. Since the outburst of war in the former Yugoslavia, the significance of that route has diminished.

For three years now, customs officers and the police have known of yet another drug route going through Poland to the West: Cocaine lands in Poland usually on ships from South America.

The marijuana (6.5 tons) confiscated recently in Hamburg was to be routed through Poland. It was shipped from West Africa. Thus, there is an assumption that a new route is being created: Africa-Poland-the Netherlands.

Drugs smuggled into Poland and sent from here to the West have a much greater chance of reaching their destination. Western customs officers tend not to search for narcotics in shipments of goods from Eastern Europe.

Amphetamine Is All Ours

There is one route that starts in this country: Amphetamine, produced in Poland, is smuggled to Scandinavian countries and Western Europe, particularly Germany. Both production and smuggling are handled exclusively by Poles or people of Polish origin.

There are also heroin and cocaine routes going through other East European countries: the Czech and Slovak Republics or Hungary, but no one can tell which of those routes channels the highest flow of drugs. Customs officers and police of those countries catch a similar number of small smugglers.

Dekagrams of Fear

Couriers usually swallow capsules containing a drug. A capsule is made of a condom covered (or not) with a layer of plastic. It contains 10 grams of heroin or cocaine. For one smuggled gram, the courier gets \$4.

Couriers swallow the capsules shortly before the plane takes off. After arriving in Poland, they wait for a hotel room in which they "get rid" of the load. That type of smuggling is risky; a capsule may break, and the courier is in danger of a "golden kick"—death from overdose. That was exactly what an Australian of Polish origin was afraid of. He was smuggling 250 grams of heroin. Out of fear of "the golden kick," he did not swallow the capsules

but put them in his rectum. One capsule broke anyway, and the drug got into his blood. Doctors saved him at the last moment.

Double bottoms or walls in suitcases are safer but easier to discover. That was the way in which a group of Poles and Nigerians, headed by a Nigerian, a doctor from Szczecin, smuggled heroin from India to Germany. They were caught in 1991. The Costa Rican ambassador's luggage, stopped at Okecie, had a similar hiding place.

On ships, drugs are placed in chambers submerged in water or in hiding places prepared inside the shipped goods or packages. In October 1991, the police found 109 kg of cocaine from Colombia in hiding places carved inside wooden parts of crates containing beans.

Drugs cross the Polish border also in cars. In the case of trucks, they can be found among the shipped goods or inside double metal walls of the body of the truck. In passenger cars, they are usually found in the tank or the wheels. Only one border crossing in Poland is equipped to check the whole car. At other crossings (if there is no previous tip), the customs officers' experience and trained dogs have to determine the presence of drugs. There are not enough dogs to sniff all of the suspicious cars; a dog can work intensely for only two hours, then, trying to please his master, it only feigns the search.

Who's Better, a Smuggler or a Spy?

Almost always, the police get so-called operational information from their secret informers about the couriers they stop. Large loads are caught when INTERPOL or the police from other countries give us earlier information about them.

A police officer who preferred to remain anonymous explained that perhaps "drug-smuggling detection would be higher if the Polish side informed the Germans, with their better-equipped customs services, about every suspicious transport. There is a problem, however, that stops the Poles from sharing all of their information: German special services could recruit Polish smugglers that they catch. In Germany, sentences for smuggling are high (usually eight or nine years), so it would be easy to persuade a criminal to cooperate in exchange for hushing up the case. That type of recruitment of agents is common around the world."

Legislature for "Little Fish"

Police and customs officers in Poland usually catch small smuggling fish. It might be different if prosecutors' offices allowed so-called controlled transit. It means that the police, while knowing about the presence of narcotics in a truck, does not stop the truck at the border but allows it to reach the recipient. Only then does it apprehend both the transport and the recipient. That is practically the only way to catch big fish. Polish law says, however, that the police must prevent a criminal act (the smuggling) immediately after receiving information about it.

The law does not help the police in its fight with narcotics. According to the legislature of 1985 on the prevention of drug addiction, the possession of drugs is not punishable in Poland. A criminal must be proved to have been involved in the production, sale, or smuggling of drugs. It is easiest to prove smuggling (especially in capsules). It is more difficult to prove production. (In 1992, the police found an amphetamine-production site, but only raw materials were there, not the finished product, and that made it impossible to sentence the "producers.")

It is most difficult to prove and punish drug-dealing: At least three witnesses are needed to testify that they bought drugs from a defendant. (With one witness, the defense will claim the possibility of libel, and, with two, the possibility of witnesses' collusion; only three is the legal minimum). It rarely happens that three drug addicts would want to cut themselves off from their source by betraying the dealer.

Almost a Monoculture

A small part of the drugs smuggled through Poland appear on the domestic market. Price is the determining factor: The retail price of a gram of cocaine (that is, 10 so-called big portions) in Germany is 150 marks. That is too high for an average Polish drug addict. The same with heroin; a "portion" of it would have to cost several hundred thousand zloty [Z].

Amphetamine started to dominate the Polish market 10 months ago. It is produced here in laboratories on the outskirts of big cities, is of "good quality," and is cheap. The route to a buyer is as follows: A producer sells it to a wholesaler for approximately Z80 million per kg, the wholesaler distributes it among dealers for about Z150-180 million. The same kg bought from dealers will cost as much as Z300-500 million.

In a week, a good dealer is able to sell a kg of amphetamine (about 10,000 "portions"). A year ago, he would need a month to do that.

Amphetamine, known also as Benzedrine, was created in the 1930's. It was meant for people who had to function in situations of stress—it was used by RAF [Royal Air Force] pilots during the war. As medication, it has been used, for instance, in cases of depression. Not until 1971 was it placed on the narcotics list.

It produces extraordinary concentration, sharpens the senses, and improves memory. It quickly leads to dependency, however, and requires a long rest period after the "kick."

The "benefits" of amphetamine, which led to its use by British pilots, appeal today to students of high schools and universities. Who would not want to learn something boring much faster and more effectively? Those are the arguments of the "whispered propaganda" and are

usually the motive for the first buy. The price helps; it dropped about 50 percent in a year. A "portion" can be bought for Z30,000-50,000.

Such a low price is a result of the mechanisms of the market economy: There are more and more producers, and the dealers have accepted the "high turnover-low profit" principle.

According to doctors and policemen, wide access to amphetamine will result in the fact that we will no longer be merely a transit area for cocaine and heroin. Poland will also become a recipient. Many of those who use amphetamine today will most probably reach for something "stronger" in several months, when amphetamine is not enough, regardless of the price.

"Russian Hash" and "Ecstasy"

Warsaw pubs, cafes, and discotheques are places of work for dealers of marijuana, hashish, LSD, and amphetamine. Some dealers appear in front of schools and universities. Sales go on even in front of closed clubs: One persistent dealer regularly appears in front of the Fugazi Music Pub, a Warsaw pub closed since November of last year.

A gram of "skun" (marijuana brought from the Netherlands) is Z150,000. A gram of weaker marijuana from Burma is Z120,000. Polish "grass" is the cheapest: 30,000-50,000 for a gram. "Grass" sells best on Fridays, the day with the greatest number of parties.

Hashish is more expensive. Depending on the kind, one has to pay Z100,000-140,000 for a gram. The most expensive are "black Afghan" and "Morocco." To the less rich, dealers offer "Russian hash."

A recent appearance is LSD, smuggled from Amsterdam or Berlin. One little piece is 80,000-150,000.

"A fashion for LSD has started," a narcotics policeman told us. "We will see more and more of it. It creates hallucinations and upsets the sense of balance, and, what is most dangerous, the body does not absorb the whole amount of the drug at once. Part of it is stored and may be activated even months after the last 'intake'—for instance, while driving a car.

"Polish discotheques are also familiar with cocaine, heroin, and 'ecstasy,' a stimulant popular in discotheques in the West. Those drugs are expensive—for instance, \$100 for a gram of cocaine (several portions). They are always smuggled in."

Dealer—Not a Profession Yet

Warsaw dealers are usually 17-25 years old. Many of them also deal in counterfeit money, forged identification cards, and driver's licenses.

"First, I traded in foreign currency in front of an exchange office, then I sold cassettes at a street counter. The counters in front of the Centrum department stores

were banned, so I had to find another job. The borders were open, so I went to Amsterdam, and so it started," replied a dealer to the question of how he started.

In search of clients, Warsaw dealers appear at rock concerts. During the winter recess, several of them move to Zakopane; in summer, one may find them at the sea or on the Mazurian lakes.

It may happen that there are a few dealers working at one pub. They have their own clients and do not cross each other's ways. In spite of mass media suggestions, there is no proof that drug-smuggling and dealing in Poland is handled by big gangs and the so-called Russian Mafia.

Hits in the Dark

Poland, unlike most European countries, does not have one center to direct the fight against narcotics-smuggling, production, and dealing. Everyone—the police, the customs officers, the Office of State Protection [UOP], and the Border Guard—works alone. The only ensured form of cooperation among those services is the transfer of all cases involving foreigners to UOP.

"The principle that rules is 'the first winner gets the upper hand,'" explains a nervous police officer of high rank. "When someone is caught, the case is blown up in the media because a narcotics arrest is spectacular. That is also one reason that we catch only small fish."

Roman, Stolojan on Ultranationalist 'Blacklist'

93P20190A Bucharest ROMANIA MARE in Romanian
11 Jun 93 p 3

[Unattributed article: "Shame on Them All"]

[Text] The magazines ROMANIA MARE and POLITICA have received numerous letters charging that current and former government officials, politicians, cultural figures, journalists, businessmen, and employees of Romanian Radio-Television, acted against the interests of the Romanian people during the period from 22

December 1989 to 1 June 1993. On the basis of these charges, we have put together a roster intended, not as a blacklist, but rather as evidence.

Needless to say, our purpose here is only to call upon our judicial system to punish these unfortunate people who have made life in Romania unbearable. For our part, we wish them all well.

There are no Hungarian extremists on this list because members of the UDMR [Democratic Union of Hungarians in Romania] do not have a country of their own, hence there is nothing for them to betray.

Vartan Arakelian	Gabriela Adamesteanu	Gabriel Andreescu	Adrian Antonie	Doina Antonie	Dan Andronic
Crin Antonescu	Traian Basescu	Mircea Basescu	Victor Babiuc	Petre Mihai Bacanu	Max Banus
Doina Basca	Gabriela Bidu	Mihnea Berindei	Ioan Buduca	Aristide Buhoiu	Coriolan Babeti
Radu Berceanu	Marcian Bleahu	Ana Blandiana	Aurelia Boriga	Silviu Brucan	Ion Bona
Gheorghe Boldur-Latescu	Delia Budeanu	Vasile Bran	Simion Buja Jr.	Matei Bratianu	Horia Bernea
Gheorghe Balasu	Andrei Badan	Emil Constantinescu	Corneliu Coposu	Doina Cornea	Ion Cristoiu
Ion Caramitru	Sergiu Cunesco	Radu Ceontea	Mihai Creanga	Radu Chesariu-Kobilenski	Andrei Cornea
Mirel Curea	Radu Calin Cristea	Mihai Carciog	Dan Ciachir	Iulian Cretu	Josif Costinas
Nicolae Craciun	Dimitrie Calimachi	Gheorghe Cristea	Doru Ioan Cristescu	Florin Diaconu	Carmen Dumitrescu
Mircea Dinescu	Cristian Dumitrescu	Nicolae Dide	Dolfi Drimer	Cornel Dumitrescu	Maxim Dorin
Valeria Dorneanu	Eugen Dijmarescu	Radu Enescu	Constantin Fota	Gheorghe Florica	Trita Fanita
Bogdan Ficeac	Victor Eduard Gugui	Jeana Gheorghiu	Nicolae Gheorghe-Tiganul	Gabriel Giurgiu	Lucian Gheorghiu
Crin Halaicu	Mihai de Hohenzollern	Ion Hristu	Radu Hortopan	Adrian Halpert	Bogdan Hossu
Mugur Isarescu	Victor Ionescu	Rada Istratie	Sabin Ivan	Dumitru Iuga	Florica Ichim
Roxana Jordache	Paula Ivanescu	Virgil Ierunca	Virgil Ivan	Mihai Lupoi	Gabriel Liiceanu
Monica Lovinescu	Ileana Lucaciu	Nicolae Manolescu-Apolzan	Florin Gabriel Marculescu	Petre Marculescu	Aurel Dragos-Munteanu
Miron Mitrea	Sandu Mehedinti	Grid Modorcea	Neculai Constantin Munteanu	Adrian Moruzzi	Simina Mezincescu
Liviu Mihaiu	Eduard Mezincescu	Nicolae Militaru	Cornel Nistorescu	Vera Maia Neagu	Paul Nanca
Darie Novaceanu	Bogdan Niculescu-Duvaz	Mihai Valentin Neagu	Adrian Nicolae	Nicolae Viorel Oproiu	Constantin Olteanu
Viorel Oancea	Victor Parhon	Ion Mihai Pacepa	Dan Pascariu	Andrei Plesu	Cristian Tudor Popescu
Dinu Patriciu	Alexandru Paleologu	Octavian Paller	Andrei Pippidi	Ilie Paunescu	George Pruteanu
Zoe Petre	Dan Predescu	Alexandru Popovici (Culture Ministry)	Alexandru Popovici (Civic Alliance Party)	Nicolae Prelipceanu	Petre Roman
Moses Rosen	Mircea Raceanu	Gheorghe Robu	Constanta Robu	Stefan Radoff	Horia Rusu
Serban Radulescu-Zonner	Romeo Raicu	Octav Radulescu	Lucian Cornescu-Ring	Theodor Stolojan	Sanda Stolojan
Adrian Severin					
Dan Stanca	George Stanca	Serban Sandulescu	Alex Stefanescu	Sorin Rosca Stanescu	
Raluca Stroe-Brumariu					
Mihai Sora	George Serban	Elena Stefoi	Tia Serbanescu	Octavian Stoica	
Liviu Ioan Stoiciu					
Victor Atanasie Stanculescu	Emanuel Tinjala	Radu Theodoru	Liviu Turcu	Vladimir Tismaneanu	

Ion Medoia				
Bogdan Teodorescu	Alin Teodorescu	Mihai Tatulici	Cornel Turianu	Oliviu Tocaciu
Mircea Toma				
Dorin Tudoran	Radu G. Teposu	Ion Tiriac	Daniel Tomescu	Anton Uncu
Doru Viorel Ursu				
Uly Valureanu	Liviu Valenas	Adrian Vilau	Gelu Voican-Voiculescu	Dinu Zamfirescu

Citizens may propose additions to this list.

Federal

Motives for War-Crime Tribunal Questioned

93BA1097A Belgrade POLITIKA in Serbo-Croatian 30 May 93 p 5

[Article by Miroslav Lazanski: "This Is How America Renders Judgment"]

[Text] Yugoslav legal experts are mainly in agreement in their assessment that formation of the International Tribunal for War Crimes on the Soil of the Former Yugoslavia Since 1 January 1991 is actually illegal, contrary to the UN Charter, and without legal basis.

To be sure, there are those who place the resolution of the Security Council establishing the International Tribunal for War Crimes on the Soil of the Former Yugoslavia in the context of chapter seven of the UN Charter, which in fact was the explanation given on the East River. There is no doubt that an international court of this kind, formed on an "ad hoc" basis and strictly for a particular area and time, that is, this move of the UN Security Council, will continue to divide the world's lawyers. But the most important thing for Yugoslavia is to take a stance based on principle in this case, to state clearly that our country has nothing against ascertaining all the perpetrators and all those guilty of war crimes on the entire territory of the former Yugoslavia and punishing them, because we support the universal principle that crime must be prosecuted.

The motives that guided the UN Security Council, that is, the United States, in forming such a court solely for the territory of the former Yugoslavia and only since 1 January 1991 are another matter. This is in fact the main reason why the decision of the Security Council evokes doubt, why it gives rise to all kinds of dilemmas about the extent to which the most recent move of the United Nations is the fruit of political games and pressures on only one country in the Yugoslav conflict, specifically on Yugoslavia. There is also a big question here for the UN Security Council and the United States as to why a court of this kind was not formed much earlier, in the years when crimes on various battlefields all over the world were absolutely demanding it.

It is real cynicism if the U.S. ambassador to the United Nations, Mrs. Madeleine Albright, says that it is not a question of settling accounts between "conquerors and the conquered," but of the need for "justice" to triumph. What is justice? If Mrs. Albright believes "that even those highest government officials must be punished who have encouraged and incited the committing of crimes," what are we going to do with those highest statesmen in the world who encouraged and incited the disintegration of the former Yugoslavia, which was the crime from which all the later crimes in this region followed?

History is always written by the victors. They also organize the trials for crimes committed during the war.

Had Nazi Germany won World War II, Stalin, Churchill, and Truman would have been sitting in Nuremberg. Had the Japanese not given in after Hiroshima and Nagasaki, if they had won the war in the Pacific, they would have tried the Americans. No one was tried for the crime of destroying Hiroshima and Nagasaki, with the military arguments for those two actions very difficult to explain, and with people, civilians, dying years afterward. There is no universal justice, those criteria are determined by the victors and those who are stronger.

"Those Who Are Primitive and Backward"

In April 1967, John McKnighton, special adviser to former U.S. Secretary of Defense McNamara, declared: "It is clear to us what strategy we must use if we want to destroy the Viet Cong. We should torch all the villages, destroy the vegetation with chemicals, and lay asphalt roads all over Vietnam for the rapid maneuver of tanks." That was that famous American strategy of "seek and destroy, mop up and hold." The number of dead Viet Cong was the main criterion of military success or failure.

The war in Vietnam was the greatest moral decline of the American nation since the United States came into being. After all, it was the U.S. Declaration of Independence dating from 1776 that proclaimed the sovereignty of the people as the highest principle. Likewise, at the time of Lincoln, in 1863, the Instructions for the Government of the Armies of the United States in the Field took effect. Article 44 of those instructions provides the death penalty for all those who "apply violence against persons they encounter on terrain they have taken, all those who resort to looting, torture, or killing prisoners and captured or the civilian population...."

What is left of the Declaration and the Instructions in Korea, Vietnam, Cambodia, Panama, Granada?... How come the UN Security Council did not raise its voice at that time with a demand to set up a special international war-crimes tribunal?

Or, how are we to interpret the judicial language of the charge filed on 24 November 1969 by Major General Orwin C. Talbot, commanding officer of Fort Benning, against Lieutenant William Calley for crimes in the village of Mi Lai, in an area 509 km northeast of Saigon, marked on the American military map as B.C. 728.795?

The United States was horrified. Seventy of its sons, members of 1st Company, 20th Regiment, 11th Infantry Division, had killed in cold blood 175 civilians, most of them women and children. The commander of the action was Lt. William Calley, 26 years old, from Miami, 158 cm tall, nicknamed "Wild Rusty."

The language of the charge against Lt. Calley speaks about the killing of "unknown Orientals." "Unknown Orientals" were killed in the military action. "Less valuable people," "primitives," "backward people," "weaker people"? How like this is to the "Balkan savages"?

In Dresden, Hiroshima, and Nagasaki, the American pilots did not see the eyes and faces of the children on the ground, the faces of the murdered civilians. At My Lai, the soldiers of the United States saw their victims, eyeball to eyeball.

Public Scrutiny of Crimes

Black hair, large brown eyes, 23 years old, a veteran of Vietnam, Richard Lee Ridenhour wrote a letter on 29 March 1969 to President Nixon and informed him about the massacre in the village My Lai. Nixon kept silent. Ridenhour kept on writing. To Secretary of State William Rogers, to Secretary of Defense William Laird. No answer. To senators and congressmen. Only Morris Udall, democrat from Arizona, replied. He informed the Pentagon. Nothing happened for six months.

In August, two CIA agents interrogated Ridenhour. They threatened him, because he had ties to the publisher Ronald Heberle, who gave the film about the massacre of the peasants in My Lai to the Cleveland PLAIN DEALER, which published the story on three pages.

The scandal broke. The United States demanded an answer as to why the Nixon administration had been silent so long, why the Pentagon had been covering up the crime?

On 24 November 1969, the CBS TV network showed the testimony of Paul Medley, who had been a soldier in Lt. Calley's company: "I was killing women and children...." His mother said: "I sent my son to the Army, they sent me back a killer." Millions of Americans saw that on the television screen and heard it, but it is the greatness of the United States that it is able to show its wounds however serious they may be. Sooner or later.

Yugoslavia must also show its wounds, consistently insisting that the punishment of crime and criminals does not begin with it, nor does it end with it. Especially because on the space of the former Yugoslavia it is a question of civil, religious, and interethnic war, that is, a conflict in which even war criminals have their manifold reasons....

Article Warns of UN Mogadishu-Type Attack

AU1606184693 Belgrade NOVOSTI in Serbo-Croatian
15 Jun 93 p 2

[Article by Borislav Komad: "Mogadishu as a Warning to Banja Luka"]

[Text] The United Nations, as the founder of the court for the war crimes committed on the territory of the former Yugoslavia, would be brought to trial itself if international politics were divided from international law.

For the first time since the international community of peoples was founded, the order was issued from the glass palace on New York's East River to bomb a sovereign

state, an act which is ominously threatening to make the UN an institution of war instead of an organization in charge of peace.

In collusion with its main sponsor, the United States, "the commander in chief of the newly founded military organization" Mr. Butrus-Ghali agreed with the attack on Somalia and then also sanctioned the decision taken by the Pakistani part of the UN in this unlucky country to shoot at demonstrators in Mogadishu!

Like in case of the assault on Panama, when the United States wanted to seize President Noriega under the pretext of having trafficked in narcotics, it found a reason for the piracy in the sky this time, too.

Aiming at the mischievous General Mohammed Farah Aidid, who is for the United States the main culprit in the death of 23 Pakistani blue helmets, the most modern Pentagon bombers are sowing death among the innocent population of Mogadishu, also killing the children.

To achieve a complete similarity between the action in Panama, when they, admittedly, acted by themselves, and this one in Somalia, for which they have the UN blessing, the White House added electronic cameras to the electronic bombing planes.

The pictures taken by television news teams, led by CNN, which "by pure chance" found themselves there, were sent all over the world as an open message for all those who do not follow Washington's will.

The United States, supported by the United Nations this time, also sent signals of death to "the disobedient Serbs" in the former Bosnia-Herzegovina.

The designation is clear. The military methods are the same, but the aims can be different. The target was Mogadishu today, and it can be Banja Luka tomorrow.

With the ardent support of the United Nations, which since George Bush has been a political service and since Bill Clinton also a military service of the U.S. doctrine.

Macedonia

Gligorov Discusses Nationality, Recognition

AU1506180493 Prague CESKY DENIK in Czech
10 Jun 92 p 5

[Interview with Macedonian President Kiro Gligorov by Teodor Marjanovic and Stanislav Drahny; place and date not given: "Ethnically Pure States Are an Anachronism"]

[Text] The Republic of Macedonia is thought to be potentially one of the most endangered countries in the world. Greece, Serbia, Albania, and Bulgaria, that is, all the four neighbors of this former Yugoslav republic have, to a greater or lesser extent, territorial and ethnic

claims. This was one of the reasons why we asked Macedonian President Kiro Gligorov for an interview for CESKY DENIK.

[CESKY DENIK] Mr. President, to start with, we would be interested in your view on Bulgarian-Macedonian relations. Bulgaria was the first country to recognize Macedonia as "the Republic of Macedonia" and not as "the Former Yugoslav Republic of Macedonia," as the UN and a number of other countries have done under Greek pressure. In the official Bulgarian declaration of 15 January 1992, by which the recognition was adopted, it is said that this is a "decisive step in the development of relations with our Bulgarian brothers in Macedonia." Does this mean that Bulgaria recognized Macedonia as a country, but has not recognized the Macedonians as a nation?

[Gligorov] In Bulgaria, there are strong traditions cultivated by certain groups who still indulge in such thinking. In reality, however, Slavs living in our country feel like Macedonians and want to live in their own country. The more this reality is taken into account, the faster these obsolete and secondary feelings and prejudices will disappear. Although I cannot say that all elements of Bulgarian policy have given up these feelings, I believe that the official Bulgarian policy, as represented by President Zhelev, recognizes this reality. Opinions that can be heard in Serbia or Greece have their roots in the past and we know that it will take a long time for them to fall into oblivion. We are open to cooperation with all our neighbors and we want to live with them with friendly relations. In this context, it will become apparent that our nation is aware of its existence, and that this must be respected.

[CESKY DENIK] According to what you say, Bulgarian policy is developing positively as regards the recognition of the Macedonians as a nation. Why, then, have diplomatic relations not yet been established?

[Gligorov] Probably out of regard for Greece, and before that, toward the EC. This, at least, is the explanation we have received. I believe that today there are really no reasons why diplomatic relations should not be established. When this happens will depend on their decision. I must stress that from the Bulgarian side we do not see any danger to our country, nor do I see any imminent threat from any other of our neighbors. But, you know the situation. War is raging not far from here, a war that can spread. We are living in the Balkans. As long as the Kosovo problem is not solved, the situation may worsen. As long as there are powerful forces in individual countries, forces that cannot accept that a country has been established here in a democratic, legal, and peaceful manner, we will live in danger.

[CESKY DENIK] Recently, you held talks with Serbian President Milosevic in Ohrid. Since there was no news conference after the meeting, and since the subject of the talks and the names and functions of the members of both delegations remained secret, much suspicion was

aroused, including that you spoke about the possibility of attaching Macedonia to a so-called Union Republic of Yugoslavia, consisting of Serbia and Montenegro.

[Gligorov] Not a word was spoken about this. I personally would object to such a topic of discussion, since we adopted a clear standpoint on that matter a long time ago. We are an independent country, and we have no intention of joining Yugoslavia or anyone else.

[CESKY DENIK] Mr. President, does Macedonia, as a UN member, respect the anti-Serbian sanctions?

[Gligorov] We have accepted these sanctions and we are trying to implement them as far as possible, even though this means large losses for us. Of course, I cannot say that we have succeeded in hermetically and completely stopping the shipping of goods across our border with Serbia. The border is not even officially marked as yet. In principle, however, I believe that we respect these sanctions. Not only because this is a decision made by the United Nations. If the world institutions have deemed this to be the only way to restore peace, then our wish is to help them to achieve this. In the interest of the matter, however, it would be good if the institutions fulfilled their promise to compensate the most affected neighbors of Serbia, such as ourselves, for instance, and to help us apply the sanctions.

[CESKY DENIK] Yes, as soon as assistance is involved, European institutions are very slow and reluctant. Now, we would like to ask you for your definition of the war in Bosnia. Is it an ethnic conflict, a civil war, or aggression?

[Gligorov] The reasons for this war can be sought in the experience with coexistence between the three nations, in what has happened in Europe after the disintegration of the systems there, and in the slowness of the democratic changes in this country. Difficulties were made more serious owing to various misunderstandings, nationalism began spreading, and, finally, war broke out. Today, nationalism is the dominant force in the Balkans, particularly in some of the countries of former Yugoslavia: Croatia, Serbia, and Bosnia-Herzegovina. Macedonia is an exception. Even here, various nationalist trends are observable, but they have not prevailed and become the dominant force. This is why we do not have war. We managed to reach a consensus with the Albanians and other minorities. Our principle is to search for common solutions, and not resort to force. The war on the territory of the former Yugoslavia has acquired an ethnic character. Since there are various religions in Bosnia, their war has also religious aspects. This is probably the worst kind of war. You do not know what your original goals were, you only know that whoever belongs to another nation, or is of different religion, is an enemy.

[CESKY DENIK] In your opinion, this is a war between three nationalisms and a war that also has religious aspects. You are not blaming anyone in particular?

[Gligorov] In no war have the two or more sides the same responsibility. There is always the one who started it, who was more engaged in it, and who had more weapons and military technology available. There is always the one who makes use of this advantage to solve certain problems with force. If for no other reason than that, the same guilt cannot be applied to all sides. Not me, but history will judge whose guilt is the greatest. Today, the opinion prevails in the world that the largest nation, which had the greatest opportunities to achieve its goals, is to blame.

[CESKY DENIK] Do you believe that in the Balkans, peace is possible, even if the same people remain in office in Serbia?

[Gligorov] I believe that democratic changes in all the countries that got involved in the war are necessary for a more permanent peace to be achieved. Changes should be made in the spirit of the idea that ethnically pure countries are anachronistic. There are no such countries in the world. In the Balkans, it would be historically absurd, since this part of Europe is very mixed, ethnically and religiously. If the principle "one nation in an ethnically pure country" should become the general goal, then we would have an infinite number of wars in Europe.

[CESKY DENIK] Is such an ideal possible in the Balkans without outside intervention?

[Gligorov] I have observed that the world community tries to achieve this by imposing sanctions, talks, and peacekeeping forces, but these cannot stop the war, however, since their task is to separate the warring parties and insert themselves between them. Since the warring parties have not agreed to disengage or to have someone standing between them, the war proceeds and the function of the peacekeeping forces is limited to humanitarian actions. The world community still has its money on sanctions at this moment, and hopes that in this manner it will bring the main protagonists of the war to their senses. On the other hand, they do not want to expose themselves to the danger of direct intervention and human sacrifices.

[CESKY DENIK] It has become apparent that sanctions are more or less counterproductive. The Serbian leadership, despite the sanctions, enjoys the support of the majority of the population. Would you advise the world community to take more radical steps?

[Gligorov] I do not believe that sanctions have no effect. In my discussion with Milosevic, I could see what consequences they have. By the way, we can feel them, too, even though we are not at war. Sanctions are not feeble, and they will become effective sooner or later. According to the Belgrade press, the average salary in Serbia is some 20 or 30 German marks per month. Serbia is an agricultural country, but food is not the only thing to live on. This is why I do not believe that this situation can go on forever. If it is true that, under conditions of hyperinflation, the average salary in Serbia will decline to \$5 a month by the end of the year, then the

nationalist emotion and passion that the media and politicians are feeding will have to cool. The problem is, however, that the number of victims is rising meanwhile, and the suffering of the people grows greater and greater. It will depend on the world community as to whether a halt will be called to this suffering of people at war. There are various interests, but no one wants to die in the Balkans.

[CESKY DENIK] Mr. President, what do you consider the true reason for Greece's blocking of the name Republic of Macedonia?

[Gligorov] The reason is that in Greece the opinion prevails that all the people there are Greeks. This applies to the Albanians, the Macedonians, the Romanians, the Turks, and the rest. As long as this internal policy issue is not solved, as long as it is not recognized that in Greece there are also other nations, and that it is no sin to belong to another nation or religion, and as long as it is thought that every Greek citizen must be Greek in order to be loyal, Greek policy will defend its attitude toward our name.

[CESKY DENIK] Does this mean that you will take the issue of the protection of the Macedonian minority in Greece to the international courts?

[Gligorov] We are constantly stressing that this is a matter for Greece and its obligations toward the European Community, NATO, the UN, the CSCE, etc. Those are the institutions in which this issue should be solved.

[CESKY DENIK] It is becoming increasingly apparent that there are organizations, such as the CSCE, who are too slow and inactive to protect minorities, in the Balkans, in particular. The case of the Macedonians in southern Bulgaria is an example: In 1946, 160,000 citizens declared themselves to be Macedonians, but later their number declined incredibly rapidly, and, finally, during the recent census, "Macedonian" did not even appear on the form. In Greece, there are no official minorities. Do you really want to rely only on international institutions in this topical issue?

[Gligorov] Yes. By force, repression, and individual actions it is impossible to achieve anything other than conflict situations. It is a question that must be solved by the people who live there, and then by the world institutions. Why have all these organizations been created, if they cannot fulfill their objectives? I do not see any other way to solve these questions.

[CESKY DENIK] Macedonia itself has not solved its own minority problems. Apart from Turks, Serbs, Greeks, and Romanians, there are also Albanians. According to the official figures, 21 percent of people in Macedonia are of Albanian origin. Ismet Ramadani, chairman of the Club of Deputies of the Albanian Labor Party in the Macedonian Parliament told us that these figures were not valid, and that Albanians form a third, if not more.

[Gligorov] Look, it is not in our interest to make the number of Albanians smaller than it actually is. What are these estimates that there are 30, or even 50 percent Albanians in our country based on? Are they private estimates saying so much or so little? In the Balkans, many nations compete as regards numbers, and they all present themselves as the largest. The Greeks say that there are 250,000 Greeks here, while according to the statistics, there are only 100,000. There are supposed to be between 700,000 and 1,000,000 Albanians here. The Serbs say that there are between 250,000 and 300,000 Serbs here. The recent census showed, however, that their number is no larger than 43,000, and after the withdrawal of the Yugoslav Army, that number must have declined even more. If we added up all the estimates, then we would find that in Macedonia there is twice the actual population. With the aim of learning the real numbers, we have proposed, despite the ambiguous attitude of the Albanian minority, to conduct a census under international supervision, as we were promised at the Geneva conference. The European Community has obliged itself to support this action financially, which should take place next April. Then we shall see how many Albanians there are in Macedonia.

[CESKY DENIK] The Albanians are not satisfied with their minority status. They recognize that minority rights are being fully respected in Macedonia, yet they do not want to be a minority in Macedonia, but a state-forming nation, and they want to have the same status in the Constitution as the Macedonians have. This has also been confirmed by Mr. Ramadani to us.

[Gligorov] What can they be other than a minority, if there is an Albanian state? What else can anyone be if he lives outside his country? If we accepted the idea that every minority in Europe could become a state-forming nation, then there would be total chaos throughout our continent. We must build a civic society in which all citizens have the same rights, while the minorities have special protection. Let us try to apply this Albanian argument "as long as we do not have a state-forming role, we do not have equal rights" to other minorities in other countries. You would see what this would provoke. Our Constitution is a civic constitution providing equal rights for all citizens. The constitution they are proposing is a nationalist constitution. Such a constitution would give the green light to all the tensions so well known in the former Yugoslavia.

[CESKY DENIK] Do you believe that a state-forming nation could proclaim its right to separate?

[Gligorov] Probably yes.

[CESKY DENIK] Mr. President, in Macedonia there are about 700 UN blue helmets, and more are being considered. It is being said that U.S. soldiers should be involved. What is your attitude toward this issue? Do you support the deployment of these troops, or not?

[Gligorov] The UN soldiers' task is not to separate fighting parties, but preventively to protect peace and

supervise the borders, and to disclose an act of aggression or provocation in time. If there are no neutral observers on hand, then the war in the Balkans can be half-over without us knowing who the real aggressor was. This is what happened in Bosnia, and in a country as small as Macedonia, this could easily happen, too. The question is not whether the Americans should come or someone else, but whether these 700 soldiers are enough for such an important task. This is a question we are still discussing.

Serbia

Interview With Minister for Relations With Serbs Abroad

93BA1093A Belgrade POLITIKA in Serbo-Croatian 20 May 93 p 6

[Interview with Bogoljub Bjelica, minister for relations with Serbs outside Serbia, by Stana Ristic; place and date not given: "Division of the Leadership, but Not Division of the People"]

[Text] Regardless of what happens on the territory of the former Bosnia and Herzegovina [B-H], the Ministry for Relations With Serbs Outside Serbia will work to maintain the elementary and urgently necessary ties and fraternal solidarity between the segments of the Serbian people on this side and the other side of the Drina, because those are the vital interests of our people. This is what our newspaper was told at the beginning of the interview by Bogoljub Bjelica, minister for relations with Serbs outside Serbia.

[Ristic] Following the Assembly at Pale and the referendum that has been held, will there be a division between the Bosnian Serbs and those in the mother country, and indeed even on a broader scale between members of the Serbian nationality?

[Bjelica] I do not feel that these events and the situation that has arisen represent a split in our people. That is simply impossible. All those who would be gratified by any kind of serious divisions will soon be discouraged. This does not mean that opinions cannot differ on certain issues. The fact that a segment of the leadership of the Serbian Republic [RS] sees the further development of the situation differently cannot be the basis for broader divisions.

The Fight for the Truth Will Be Waged Through Diplomacy

The Serbs need not, Minister Bjelica continued, be those who are the first to reject the Vance-Owen plan and therefore hold us in the position of the perpetual guilty party, especially since Yugoslavia, Serbia, and the people in the Serbian Republic are really for peace. This is demonstrated by the lengthy maintenance of the truce. Let the Vance-Owen plan be destroyed by those who do

not want a peaceful solution, and for that matter there are many facts that provide evidence of that.

It is a mistake to look at the Vance-Owen plan only in the form in which it has been presented. The plan is unfair toward the Serbian people in many respects, and at this moment it seems only a synthesis of international views of this problem. The most persistent possible influence should be exerted on those overall relations, and the altered international relations will very quickly alter parts of the Vance-Owen plan as well and make it fairer toward the Serbian people. The truth has been on our side from the beginning, but for it to win, after weapons we must fight with negotiations, with diplomacy, and in so doing we must not lose sight for a moment of the integral nature of the interests of the Serbian people.

The Vance-Owen plan, with all its faults and irregularities, is an institutional form of activity of the international community, a foundation on which to build. To build on, moreover, in keeping with changes in the international community, and they are taking place. Try to imagine the disintegration of institutional forms of the international community and all the forces that would come on to the scene.

[Ristic] What do the results of the referendum mean in the situation that has come about?

[Bjelica] They mean what was well known to everyone even before the referendum, that the plan is not good in all respects. However, it has been worthwhile to explain in what respects this is so, for it to be better. The whole problem comes down to seeking additional solutions. And an additional "no" is not that new solution, but only a confirmation of what is known.... When all is said and done, we have to move on, move on together.

The Refugees Were Forgotten When the Decision Was Made

[Ristic] Recently, the federal government and the government of Serbia adopted decisions whereby only humanitarian aid is being sent to the Serbian Republic. Will that aid be cut back?

[Bjelica] Humanitarian aid will not be cut back. The attempt of individuals, if there are any, to manipulate with that is futile. However, it could happen that the efforts for a peaceful resolution of the crisis do not at times have the necessary and real effect, which will additionally worsen the present economic situation in Serbia. The possible aid at such a time will objectively be of lesser quality and smaller volume. I am not sure that a portion of the leadership of the Serbian Republic has paid sufficient attention to that. For the people, however, I have full understanding.

[Ristic] What about the refugees? How will the present events affect their return to their native place?

[Bjelica] The present events and all those to come will, of course, have a direct impact on return of the refugees. Had we been united in efforts to bring about a peace

plan, it would have been realistic to assume that conditions would soon be brought about for return of the refugees to their native place. But if the war continues, that process could be slowed down more or less and even postponed for a certain time. It is very important for that reason to arrive at an honorable peace as soon as possible. The overall aspects must simply be borne in mind. Unfortunately, a part of the leadership of the Serbian Republic did not think of that when it made its decision.

What Are Our People in the World Thinking?

[Ristic] How are our people in the rest of the world reacting to all this?

[Bjelica] Our people have ties to the homeland and experience very intensively everything that is happening here. But all of this also has an impact on their status in the countries where they live, and we must also bear that in mind. As far as their approach goes, it varies in proportion to the available information, but the demands are in the same direction. And the demand is that no individual or collective difference of opinion must distance us from one another. There may, they say, be differences in desires as to the way of achieving the basic interests, assuming, of course, that lasting peace is established as a precondition.

There are more and more of our people abroad who are fighting bravely and knowledgeably against the news blockade to which we have been subjected. It is a good thing that they are becoming more and more united, because that will also help us.

Of course, even in the diaspora there are Serbs who because of their individual and momentary interests will support those forces in the world that do not want peace in Bosnia or in the Balkans. But those are nevertheless individuals.

[Ristic] Have our people fallen into apathy, will they cut back their aid?

[Bjelica] No. On the contrary. These are people like us. The more difficult it is for them, the more they will give of themselves. There will be a just peace in this region. Many issues related to full cooperation, investment of capital, realization of additional rights between and toward our people abroad will finally be resolved.

[Ristic] Is there some particular message the minister would like to convey?

[Bjelica] I would call upon all our people, both here and outside Serbia, to weigh carefully every decision and action of theirs. Those actions and decisions should fit with the entirety of the interests of our people. We must in this connection be mindful of the changes that have occurred in our country, but also in the international community. We should pay more respect to the newly created systems of values in the world. We should preserve our traditional values, but we must also become

skilled in applying the new rules, which may be decisive in the time to come, Minister Bogoljub Bjelica said in conclusion.

Belgrade Journalists, Media Sued

93BA1091D Belgrade POLITIKA in Serbo-Croatian 22 May 93 p 7

[Article by Nikola Trklja: "Time of Conflict: Journalists at Courtroom Doors"]

[Text] *Announced or already filed lawsuits against the most important local print media; Draskovic intends to sue TANJUG and RTS [Serbian Radio and Television], Zivota Panic has threatened NOVOSTI, Borisav Jovic has sued DUGA, and Dafina Milanovic has sued POLITIKA.*

Those who criticize, warn, and admonish every day, those who argue that they are the defenders of public opinion, that they inform and entertain, the working men of public speech, sometimes find themselves the target of criticism and even end up at the courtroom door. Lately, the seething public scene has witnessed with increasing frequency lawsuits and announcements of lawsuits against members of the fourth estate.

If all these threats are carried out, local people will have the opportunity to follow, besides the commonplace and more than tempestuous events, out-of-the-ordinary judicial skirmishes between politicians, bankers, soldiers, and functionaries on the one hand and journalists on the other hand. Specifically, over a short period of time lawsuits have been announced or already brought against the chief editors or directors of five domestic media.

Dissatisfaction With Articles

The media in question are TANJUG, Serbian Television, VECERNJE NOVOSTI, DUGA, and POLITIKA. The pretexts for the lawsuits against the journalists vary, but the reason that they are being brought is the same—dissatisfaction with published articles and information.

The TANJUG news agency and Serbian Radio and Television, or rather their directors, could go to court because of a lawsuit announced by Vuk Draskovic, the chairman of the Serbian Renewal Movement [SPO]. Gen. Zivota Panic, the chief of the General Staff of the Armed Forces of Yugoslavia who is currently in the public eye because of the "Centaur" affair, says that he will sue the leader of the Serbian Radical Party [Vojislav Seselj], but also Rade Brajovic, the chief and responsible editor of VECERNJE NOVOSTI, for slander and falsehoods.

DUGA has already been through the first round of court "hearings" initiated by the Socialist Party of Serbia [SPS], but the continuation of this skirmish has also been announced. The owner of "Dafiment Bank," Dafina Milanovic, has filed suit against the POLITIKA company and the chief and responsible editor of POLITIKA over an article about that private bank.

Several days ago, SPO leader Vuk Draskovic announced a lawsuit against TANJUG and RTS over reports indicating that the newly appointed U.S. ambassador to Zagreb is one of the coordinators of financing for Draskovic and his party. Draskovic has announced the suit but has not yet filed it. We were told yesterday at that party's headquarters that the suit has not yet been filed and that they cannot yet provide us with details about it. SPO spokesman Milan Komnenic, noting that he is not familiar with all the facts of this case, emphasizes that the SPO chairman will not easily abandon this lawsuit.

TANJUG Explanation

Dusan Zupan, the chief and responsible editor of TANJUG, explains that one such report appeared on television. In his words, RTS violated an agreement on using the DTS [expansion not given] service. This service, according to Zupan, is in no way secret, and any user can subscribe to it, but information from DTS is not for publication since it is not written in journalistic format.

The controversial sentence to which Draskovic refers is found in a biography of the U.S. ambassador to Zagreb. Zupan says that the sources for this allegation are Serb circles living in the United States, that this is clearly not a fabrication or imputation, and that if the court demands it, he will reveal these sources. The chief and responsible editor of TANJUG emphasizes that the director of the agency, Slobodan Jovanovic, is currently in Russia and that he is completely unconnected to this matter. In addition, Zupan says that he warned people at the television service about the improper gesture, informing them that TANJUG has no intention whatsoever of getting involved in any partisan or other type of skirmishing. According to him, TANJUG has become a target of criticism through no fault of its own but rather because of television, which misused the DTS service.

Although Gen. Zivota Panic announced a lawsuit against Seselj and NOVOSTI in a statement carried by BORBA, it remains unclear whether the chief of the General Staff will sue the chief and responsible editor of that newspaper. Specifically, Rade Brajovic told us yesterday that NOVOSTI is printing today, in its entirety, a letter by Gen. Panic discussing the suit against Seselj, but not against that newspaper. Brajovic refused to comment on the matter, not only because it concerns an announcement carried by BORBA, but also because the entire case is just under way. In addition, he emphasizes that VECERNJE NOVOSTI has acted completely professionally in the "Centaur" affair, giving both sides the opportunity to speak without any editorial remarks or suggestions whatsoever.

Politicians and Bankers

The newspaper DUGA has already weathered one court battle, with the ruling party in Serbia. Because of an article signed by DUGA journalist Dada Vujasinovic concerning Borisav Jovic and the SPS, the Main Committee of that party sued the journalists and editor of DUGA.

Chief and responsible editor Milomir Maric says that the court handed down an acquittal. Specifically, it was established that the Main Committee cannot initiate litigation on behalf of Bora Jovic, who was dissatisfied with the writing, or rather the positions, put forward in Dada Vujasinovic's article. After the ruling, however, which the editors used as advertising for the newspaper under the headline "DUGA Is the Only One Who Has Defeated the SPS," Borisav Jovic brought a private suit. After this, the editors sought disqualification of the judge, who was said to be a member of the SPS and a member of the election committee as a representative of that party.

Maric says that the trial has been scheduled for June and that Bora Jovic himself is due to appear in court, together with one of the Karic brothers [Serbian businessmen], whose company is involved in this affair, according to DUGA.

Besides politicians, bankers too have launched judicial showdowns with journalists. Several days ago, Dafina Milanovic brought suit against POLITIKA. The pretext for this suit is an article that appeared in POLITIKA under the headline, "National Bank of Serbia Proposes Bankruptcy for Dafiment Bank." The suit states that the article contained several untruthful facts about the business dealings of this private banking organization, which recently "froze" transactions with its savings depositors. In addition, the plaintiff asks that POLITIKA pay her a million and a half dollars or the dinar equivalent for damages suffered as a result of this article.

Institutions of justice will decide the fate of these lawsuits brought against journalists. The public is divided: While some say that these cases can be interpreted as an affirmation of public speech, or rather the rise in the media's influence and in the power of reported information, others are of the opinion that this is a threat to the freedom of public speech itself.

Smugglers Use Belgrade-Skopje Railway

93BA1091B Belgrade POLITIKA in Serbo-Croatian
24 May 93 p 7

[Article by Ceda Lakic: "By Railroad From Belgrade to Salonika: 'Acropolis Express'—Disgrace"]

[Text] *At train stations in Lapovo, Jagodina, and Stalac, hundreds of travelers, primarily railroad employees and members of their families, load all types of food into this train, which they then sell in Skopje.*

Belgrade-Salonika, 23 May—Two trains have been introduced to run from Belgrade toward Greece: the "Hellas," which connects Budapest and Athens, and the international train "Acropolis," which leaves Belgrade every evening and after a 22-hour journey arrives at the foot of the Acropolis. Initially, this train was conceived of to transport primarily international passengers, so that special cars were even designated for that purpose. Only two or three cars were intended for "local" passengers traveling from Belgrade to Skopje and Djevdjelije. But because

initially there were not enough foreign passengers due to the rather high prices compared to the competing buses of various carriers and agencies, it was decided that the entire train could be used by local passengers going to southern Serbia and Macedonia.

On every weekday, especially right before market day in Skopje, enterprising food traders descend upon this train at stations in Lapovo, Jagodina, and Stalac. For the most part, these people are railroad employees (that is, those without whom normal railroad operations can be carried out) and members of their families, but also many others. Two nights ago, the train was so full by the time it got to Stalac that many people had to wait for the nightly fast train number 773, which also goes to Skopje. They say that many people prefer not to take this other train because it has few classic cars; the majority are sleepers and couchettes.

Lucrative Smuggling

The real drama begins at the Ristovac train station, which until yesterday was the official border station with Macedonia. Since yesterday, according to the direction of travel, customs and passport formalities should take place in Presevo. These clever traders, self-styled small businessmen, will try anything to outwit customs officials, who are obligated to keep food from being taken out of the country in excessive quantities. There are many scenes, and they are more sad than interesting. The policemen who check documents are also having major problems doing their job, since one can travel from Serbia to Macedonia with a passport, but also with only a personal identification card.

Authorities Are Silent

Returning from Skopje, where everyone sells their goods for marks which, moreover, can be bought at banks in Macedonia for denars, our countrymen from the Morava basin bring other interesting products in the opposite direction. Tobacco and all types of cigarettes can be bought much more cheaply in Skopje, and drugs from the local "Alkaloid" enterprise can also be bought at a somewhat lower price. On the "Hellas" returning from Skopje, we were told by individual passengers that some of them take the "Acropolis" to Skopje two or three times a week with goods, and then return on the "Hellas" with other goods....

Since the "Acropolis" is more a slow train than an international one, there would be time for the responsible managerial authorities at ZTP [Railroad Transport Enterprise] Belgrade to deprive the members of its collective of the right to travel on that train at low prices or free of charge.

The only thing that surprises us is that our Greek neighbors, who are friendly toward us, do not protest to our railroad authorities. Specifically, the Greeks issue international tickets to their citizens to Belgrade or return tickets from Belgrade, but passengers on this train are not even able to get into the filthy sanitary facilities. [Words indistinct] the numerous young people from other countries who arrive from Vienna on the "Avala" and continue on toward ancient Athens on the "Acropolis."

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